



Los Angeles Regional Water Quality Control Board

ORDER NO. R4-2014-XXXX
GENERAL NPDES PERMIT NO. CAG994006
WASTE DISCHARGE REQUIREMENTS
FOR
DISCHARGES OF GROUNDWATER FROM SAN GABRIEL VALLEY GROUNDWATER BASIN
TO SURFACE WATERS
IN
UPPER SAN GABRIEL RIVER AND RIO HONDO WATERSHEDS-LOS ANGELES COUNTY

Table with 2 columns: Description and Date. Rows include adoption date (July 10, 2014), effective date (September 1, 2014), and expiration date (August 31, 2019). A final row states that discharges are classified as minor.

I, Samuel Unger, Executive Officer, do hereby certify the following is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on July 10, 2014.

Samuel Unger, P.E.
Executive Officer

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**I. DISCHARGE INFORMATION**

This Order (also referred to as the General Permit) is intended to authorize discharges from well startup operations (such as well development or re-development, aquifer or pumping tests) and discharges resulting from testing of groundwater treatment facilities located within the Upper San Gabriel River Watershed including Rio Hondo, upstream of the Whittier Narrows. These operations are conducted to restore the impacted drinking water aquifer and to provide drinking water for municipal and industrial services supply. This Order covers discharges of groundwater that are short-term and that occur during dry flow periods in the San Gabriel River reach where the discharge occurs. Discharges occurring under this Order will be re-infiltrated back into the San Gabriel Groundwater Basin, and will not mix with in-stream flow in the San Gabriel River.

The San Gabriel Groundwater Basin is polluted by past industrial activities. The problem was discovered in the 1970s when toxic chemicals were detected in the area's drinking water wells. By the 1980s, the U.S. Environmental Protection Agency's Superfund program undertook efforts to initiate cleanup actions. Since then, an aggressive cleanup program has been implemented to meet the complex challenges of removing contamination from the groundwater basin and supplying safe drinking water to the residents. Nearly 90% of all the water required by residents, businesses and institutions in the San Gabriel Valley comes from the San Gabriel Groundwater Basin.

**II. NOTIFICATION REQUIREMENTS**

**A. Eligibility Criteria**

1. This order covers discharges to surface and ground water from well startup operations and testing of groundwater treatment facilities in the San Gabriel Valley Watersheds.
2. The permitted discharges are limited to one time start-up and testing operations for each facility in order to expedite clean-up and distribution of potable water supplies. Out of stream recharge facilities shall be identified for future discharges.
3. To be covered under this Order, a discharger must demonstrate that:
  - a) The Discharger will be able to comply with the terms and provisions of this General Permit.
  - b) The discharge is limited to groundwater remediation activities that will result in potable use in the San Gabriel Valley Watersheds including Rio Hondo and San Gabriel River.
  - c) The discharge ~~activity is a one-time event occurring during well startup operations (such as well development and redevelopment) and discharges from monitoring wells, and/or groundwater treatment plant startup operations including maintenance/rehabilitation of the treatment facilities conducted to satisfy California Department of Public Health (CDPH) requirements as defined by Standard Provision A.2.b.-~~ activity is a one-time event occurring during well startup operations (such as well development and redevelopment) and discharges from monitoring wells, and/or groundwater treatment plant startup operations including maintenance/rehabilitation of the treatment facilities conducted to satisfy California Department of Public Health (CDPH) requirements as defined by Standard Provision A.2.b.-
  - d) Provisions will be made to limit the discharges to dry reaches of the San Gabriel River or Rio Hondo, where the discharge will percolate to groundwater.
  - e) Facilities/Best Management Practices will be deployed if necessary to prevent commingling with downstream reaches.
  - f) Discharges shall be managed to limit commingling of the untreated groundwater with any urban runoff present in the lined Flood Control Channels tributary to San Gabriel River.

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**B. Ineligibility**

The discharge of groundwater from groundwater management activities located outside the Upper San Gabriel River or Rio Hondo or that are unrelated to the treatment of groundwater for potable use are not eligible for enrollment under this General Permit.

**C. Authorization of Coverage**

To be authorized to discharge under this Order, the Discharger must submit a Notice of Intent (NOI) in accordance with the requirements of Part D of this Order. If the discharge is eligible, the Executive Officer shall notify the Discharger that the discharge is authorized under the terms and conditions of this Order and prescribe an appropriate monitoring and reporting program. The discharge shall not commence until receipt of the Executive Officer's written determination of eligibility for coverage under this General Permit or until an individual NPDES permit is issued by the Regional Water Board. New discharges not currently in development (not identified on the Table 1 of II.B. of the Fact Sheet) are eligible for permit coverage provided they meet the eligibility criteria in section II A.

**D. Notice of Intent**

1. **Deadline for Submission:** Dischargers shall file a complete application at least 45 days before commencement of the discharge.
2. **Forms for Report of Waste Discharge:**
  - a. Dischargers shall use the NOI Form.
  - b. The Discharger, upon request, shall submit any additional information that the Executive Officer deems necessary to determine whether the discharge meets the criteria for coverage under this Order, to prescribe an appropriate monitoring and reporting program, or both.
  - c. The Discharger shall submit the most recent representative groundwater water quality data from the well(s) or treatment facility where the discharge is proposed. The data should include toxic and mineral water quality data.
  - d. Pursuant to section 2, Article X of the California Constitution, and section 275 of the California Water Code on preventing waste and unreasonable use of waters of the state, this Regional Water Board encourages, wherever practical, water conservation and reuse of wastewater. To obtain coverage under this Order, the Discharger shall first investigate the feasibility of conservation, reuse, injection to groundwater, and alternative disposal methods of the wastewater.
  - e. The following should be included with the NOI Form:
    - i. Dischargers shall provide a time schedule with the NOI Form indicating the start date and end date of the discharge.
    - ii. The feasibility study on conservation, reuse, and/or alternative disposal methods of the wastewater;
    - iii. Description of the best management practices to be implemented;
    - iv. Proposed path of the groundwater flow to the discharge point; and
    - v. The estimated quantity of both untreated and treated groundwater to be discharged.
  - f. Section 2200 (Annual Fee Schedules) of Title 23 of the California Code of Regulations (CCR) requires that all discharges subject to waste discharge requirements shall pay an annual fee.

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**E. Notice of Termination**

Dischargers shall submit a Notice of Termination (NOT) when coverage under this General Permit is no longer needed. An NOT contains the Waste Discharge Identification Number (WDID), the name and address of the owner of the facility, and is signed and dated by the owner certifying that the discharge associated with the authorized permit enrollment has stopped. Upon submission, the Discharger is no longer authorized to discharge wastewater associated with this General Permit.

**F. Change of Ownership**

Coverage under this Order may be transferred in case of change of ownership of land or discharge facility provided the existing discharger submits NPDES Permit Transfer Request Form and notifies the Executive Officer at least 30 days before the proposed transfer date, and the notice includes a written agreement between the existing and new dischargers containing a specific date of transfer of coverage, responsibility for compliance with this Order, and liability between them.

**III. FINDINGS**

The Regional Water Board finds:

**A. Rationale for Requirements.**

The Regional Water Board developed the requirements in this Order based on federal and state laws and regulations, information submitted as part of NOI, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for the requirements in this Order, is hereby incorporated into and constitutes Findings for this Order. Attachments A through E and G are also incorporated into this Order.

**B. California Environmental Quality Act (CEQA)**

Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of the California Environmental Quality Act (CEQA), Public Resources Code division 13, chapter 3 (commencing with § 21100). An exception from the State Implementation Policy requires compliance with CEQA, because this Order allows exceptions from meeting priority pollutant objectives. The Discharger has complied with CEQA by preparing and adopting an Initial Study and Negative Declaration dated ~~\_\_\_\_\_~~ July 2, 2014

**C. State Implementation Plan (SIP)/ California Toxic Rule (CTR) Exception**

Environmental Protection Agency (EPA) has reviewed the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California pursuant to section 303 (c) of Clean Water Act (CWA) 33 U.S.C. § 1313(c) and authorized Regional Water Quality Control Board to grant a categorical exception to meeting priority pollutant criteria/objective or any other provisions of the SIP/CTR (Section 5.3 of State Implementation Policy) where the RWQCB may, after compliance with the California Environmental Quality Act (CEQA), allow short-term or seasonal exceptions from meeting the priority pollutant criteria/objective if determined to be necessary to implement control measures regarding drinking water conducted to fulfill statutory requirements under the federal Safe Drinking Water Act or the California Health and Safety Code. The Case-by-case Exception may be granted in meeting priority pollutant criteria/objective or any other provisions of the SIP/CTR where the State Water Resources Control Board determines that the exception will not compromise protection of enclosed bay, estuaries and inland surface waters for beneficial uses and the public interest will be served.

In compliance with the CEQA and with the concurrence of the U.S. EPA, this Order allows an exception to meeting priority pollutant criteria/objectives for short-term discharges from San

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Gabriel Groundwater Basin cleanup operations for the following priority pollutants: Arsenic, Copper, Lead, Total Chromium, Hexavalent Chromium, Selenium, 1,1-Dichloroethane, 1,1-Dichloroethylene, 1,1,1,-Trichloroethane, 1,1,2-Trichloroethane, 1,1,2,2-Tetrachloroethane, 1,2-Dichloroethane, 1,2-Trans-Dichloroethylene, Tetrachloroethylene, Trichloroethylene, Carbon Tetrachloride, Vinyl Chloride, Benzene, Cis-1,2-Dichloroethylene. Non-priority, toxic pollutants including Total Trihalomethanes, MTBE, Perchlorate, 1,4-Dioxane, 1,2,3-TCP were also detected in the groundwater. The discharge will be recharged back into the same groundwater basin from where it was extracted. The wells, and treatment plants locations and groundwater recharge activities are discussed in the Fact Sheet.

**D. Application of TMDLs**

~~On June 2, 2005, the Los Angeles Water Board adopted, by Resolution No. R05-006, an amendment to the Basin Plan incorporating a Total Maximum Daily Load (TMDL) for metals in the Los Angeles River and its tributaries. The TMDL and subsequent amendments were approved by the State Water Board, the Office of Administrative Law, and EPA. The TMDL includes dry and wet weather waste load allocations (WLAs) for all NPDES-permitted discharges.~~

On March 26, 2007, USEPA adopted a TMDL for metals and selenium in the San Gabriel River and impaired tributaries. The TMDL includes dry and wet weather WLAs for all NPDES-permitted discharges.

Because these TMDLs assign WLAs to all NPDES-permitted discharges without exception, this Order includes effluent limitations that are consistent with the WLAs. The categorical exception authorized by the SIP does not apply where WLAs are assigned to the discharge unless the WLAs assigned by the TMDL allow for such an exception. Therefore, this Order includes effluent limitations that are consistent with WLAs that are applicable to a discharge.

**E. Background**

1. Past industrial activities within the San Gabriel Basin (Basin) have resulted in widespread contamination of the groundwater with toxic pollutants. Groundwater in the Basin is contaminated from discharges to the ground of synthetic organic compounds used primarily as solvents in industrial and commercial activities, dating to the World War II era. The San Gabriel Basin Water Quality Authority (WQA) is a local agency that helps coordinate cleanup efforts in the San Gabriel Basin. On behalf of concerned water entities in the San Gabriel Valley, WQA has requested the Regional Water Board to develop a General NPDES permit to cover discharges of groundwater during groundwater cleanup operations from well start-up and testing of treatment facilities. San Gabriel Groundwater Basin is shown in Appendix A. The monitoring and production wells are shown in Appendix B. The groundwater remediation projects are identified in the map shown in Appendix C.
2. The groundwater contamination problem in the Basin became evident when high concentrations of volatile organic compounds (VOC) were discovered in the Azusa area in 1979. In the succeeding years, further investigation revealed widespread VOC contamination significantly impacting the Basin. The discovery of groundwater contamination led the United States Environmental Protection Agency (USEPA) to place four portions of the Basin on the National Priorities List (NPL) under authority of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), also known as the superfund program.

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3. WQA was formed by a special act of the California Legislature in 1992 (Senate Bill 1679, Russel). The statute grants WQA the responsibility to coordinate among the several agencies with regulatory authority over the cleanup of the San Gabriel Basin.
4. In an effort to cleanup basin-wide contaminated groundwater, EPA, through the federal Superfund program, is actively working on cleanup at six operable units at the Upper San Gabriel River and Rio Hondo Watersheds NPL sites:
  - a. Baldwin Park Operable Unit (BPOU)
  - b. South El Monte Operable Unit (SEMOU)
  - c. El Monte Operable Unit (EMOU)
  - d. Puente Valley Operable Unit (PVOU)
  - e. Whittier Narrows Operable Unit (WNOU)
  - f. Area 3 Operable Unit
5. In 1997 perchlorate, N-Nitrosodimethylamine (NDMA), and 1,4-dioxane were detected by EPA in the groundwater in portions of the San Gabriel Basin at concentrations above MCLs, California Notification levels, and/or CTR discharge effluent limitations. Perchlorate and NDMA have been used in or associated with liquid and solid rocket fuel and other industrial activities; 1,4-dioxane has been used as a stabilizer in some chlorinated solvents. This discovery complicated and delayed cleanup at the BPOU, the largest of the operable units. This led USEPA, state and local agencies to conduct further investigation of the sources and treatment technologies available for treating groundwater for potable use.
6. USEPA adopted cleanup plans for five of the six operable units identified above through a series of Records of Decision (ROD) issued between 1993 and 2000. The RODs call for pumping and treating contaminated groundwater, and generally encourage use of the treated water for potable supply rather than recharging it back into the ground.
7. This General Permit enables development or rehabilitation of wells in affected areas within the San Gabriel and Rio Hondo Watersheds (SGRW), and facilitates testing, repairs, or upgrades of treatment technologies to treat the groundwater and restore the aquifer for drinking water purposes. EPA and water entities in the SGRW will conduct short-term, large volume discharges during well drilling, well development, redevelopment and treatment plant startups and testing operations. Once the treatment plants are commissioned the treated water will be provided for drinking water purposes in the region.
8. The largest volume of water that will be discharged under this permit is treated groundwater that fully complies with California Department of Public Health (CDPH) drinking water standards. It is necessary for Water Agencies to discharge this large volume of water to satisfy CDPH requirements and obtain CDPH approval during treatment plant startup, before the plant can be connected to potable water supply distribution system. The treatment plant activity conducted to obtain approval can take up to 30 days. In addition, large volume of groundwater may be discharged short-term for up to 7 days, to enable new wells to be developed, old wells to be rehabilitated and new or refurbished treatment plant to startup. It is often impracticable to adequately treat the groundwater to meet standards for priority pollutants for these types of short-term discharges. Because the agencies conducting the cleanup in the Basin often cannot treat the start-up discharge to meet standards under the California Toxic Rule (CTR), they have been hindered in their ability to clean up impacted groundwater and provide drinking water to their service areas. Continuing impediments to the cleanup activities is threatening to exacerbate groundwater quality impacts in the Basin and limiting the availability of drinking water supply.

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9. The current drought that is being experienced throughout the State of California highlights the growing importance of groundwater supply. Given the significant State and regional impacts from the current drought, these activities will expedite clean-up and provide additional local potable water supplies to the region. Table 1 in the Fact Sheet provides an estimate of the volume of aquifer water being restored and provided for potable uses. The groundwater in these basins provide 90% of the drinking water for over 1 million people. This permit alone will result in the reuse and replenishment of approximately 6,000 acre-feet of San Gabriel Valley Basin groundwater. Once the treatment systems are fully functional they can deliver up to 90,000 acre feet per year (AFY) of treated groundwater for potable use.
10. Local water agencies have identified short term groundwater discharge projects within the Upper San Gabriel River Watersheds including Rio Hondo Watersheds to be addressed by this general permit. The list of projects and the types of activities associated with the proposed discharges at these projects sites are tabulated in the Fact Sheet of this Order. Discharges resulting from cleanup operations that may be covered by this general permit are not limited to the identified project sites. Other discharges from similar cleanup projects within the San Gabriel Basin will also be covered under this General permit.
11. The proposed permit will require implementation of Best Management Practices (BMPs) to prevent pollutants in the discharge from mixing with any receiving water other than minor amounts of dry season urban runoff. These BMPs include (a) limiting discharges to dry reaches of the San Gabriel or Rio Hondo Rivers, or tributaries to these rivers, during the dry season, and (b) deployment of facilities to percolate the discharge in the main San Gabriel Basin and prevent downstream impacts, including the installation of rubber dams.
12. On September 22, 1989, the United States Environmental Protection Agency (USEPA) granted the State of California, through the State Water Resources Control Board (State Water Board) and the regional water boards, the authority to issue general NPDES permits pursuant to parts 122 and 123 of Title 40 of the Code of Federal Regulations (40 CFR).
13. 40 CFR section 122.28 provides for issuance of general NPDES permits to regulate a category of point sources if the sources:
  - a. Involve the same or substantially similar types of operations;
  - b. Discharge the same type of waste;
  - c. Require the same type of effluent limitations or operating conditions;
  - d. Require similar monitoring; and
  - e. Are more appropriately regulated under a general permit rather than individual permits.
14. General waste discharge requirements and NPDES permits enable Regional Water Board staff to expedite the processing of requirements, simplify the application process for dischargers, better utilize limited staff resources, and avoid the expense and time involved in repetitive public noticing, hearings, and permit adoptions.

**F. Facility and Discharge Description**

1. Discharges covered under this permit include well startup operations such as well development or re-development, aquifer or pumping tests, and discharges resulting from testing of groundwater aquifer restoration treatment facilities located within Upper San Gabriel River Watersheds including the Rio Hondo and San Gabriel River.

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2. The Main San Gabriel Basin (Main Basin) has areas of known contamination as a result of historical industrial practices. Contaminants include Volatile Organic Compounds (VOCs), Perchlorate, N-Nitrosodimethylamine (NDMA), 1,4-Dioxane, and 1,2,3-Trichloropropane (1,2,3-TCP). In addition, the groundwater extracted for remediation purposes may contain nitrate in excess of drinking water regulations and if necessary, will be treated to CDPH specifications and must also be addressed through treatment. Extraction wells are specifically located to optimize contaminant removal from the groundwater. Construction and/or rehabilitation of such an extraction well requires a high volume of water to be discharged over a short period of time. Consequently, untreated groundwater typically will be discharged via pipeline into a concrete lined storm water channel. The discharged water is diverted into an existing spreading facility or can be impounded by a rubber dam (temporary or existing) in an unlined portion of a channel where it will percolate back into the Main Basin.

3. The Regional Water Board ~~encourages~~ requires dischargers enrolled under this general NPDES permit to coordinate their water quality ~~protection~~ remediation activities, with MS4 owners and to provide including dischargers providing adequate notification to MS4 owners at least seven days prior to the discharge of significant volume of water that could impact MS4 owners' facilities ability to meet MS4 requirements. In addition to notification, MS4 owners will likely require local permits to be acquired before the discharge can occur.

**IV. DISCHARGE PROHIBITIONS**

1. Discharges of any waste at a location different from that authorized by the Executive Officer of the Regional Water Board are prohibited.
2. Discharges of any waste other than those that meet eligibility requirements in Part II.A of this Order are prohibited, unless the Discharger is regulated for such discharges by other waste discharge requirements or discharges into a permitted facility.
3. Discharges of any waste that exceed applicable effluent limitations are prohibited.
4. Pollution, contamination, and nuisance as defined by section 13050 of the CWC, which are created by the treatment or the discharge of pollutants authorized under this Order, are prohibited.
5. Discharges of any radiological, chemical, or biological warfare agent or high level radiological waste are prohibited.

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**V. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS**

**A. Effluent Limitations**

1. Discharge of effluent from the outfall location(s) listed in the enrollment authorization fact sheet in excess of the following effluent limitations is prohibited.

**Table 1. Effluent Limitations**

Parameters	Units	Effluent Limitations	
		Maximum Daily	Average Monthly
Total Suspended Solids	mg/L	75	50
Turbidity	NTU	150	50
BOD <sub>5</sub> 20°C	mg/L	30	20
Oil and Grease	mg/L	15	10
Settleable Solids	ml/L	0.3	0.1
Sulfides	mg/L	1.0	----
Residual Chlorine	mg/L	0.1	----
Methylene Blue Active Substances (MBAS)	mg/L	0.5	----

~~Table 2. QWBELs based on Basin Plan section 7-13 – Los Angeles River and Tributaries Metals TMDL Wasteload Allocations (WLAs), Dry Weather<sup>1</sup>~~

Reach	Units	Copper, TR		Lead, TR		Zinc, TR		Selenium, TR	
		Max. Daily	Avg. Monthly	Max. Daily	Avg. Monthly	Max. Daily	Avg. Monthly	Max. Daily	Avg. Monthly
Rio Hondo Rch. 1	µg/L	21	11	8.2	4.1	210	110	---	---

~~Table 3. QWBELs based on Basin Plan section 7-13 – Los Angeles River and Tributaries Metals TMDL WLAs, Wet Weather<sup>2</sup>~~

Constituents	Units	Effluent Limitations	
		Maximum Daily	Average Monthly
Cadmium, TR <sup>3</sup>	µg/L	3.1	1.5
Copper, TR <sup>4</sup>	µg/L	17	8.5
Lead, TR <sup>4</sup>	µg/L	62	31
Zinc, TR <sup>4</sup>	µg/L	160	79

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<sup>1</sup> For purposes of this General Permit, discharges occurring from April 15<sup>th</sup> through November 14<sup>th</sup> are considered dry weather discharges.

<sup>2</sup> For purposes of this General Permit, discharges occurring from November 15<sup>th</sup> through April 14<sup>th</sup> are considered wet weather discharges.

<sup>3</sup> Total Recoverable (TR)

**Table 42. WQBELs based on Basin Plan section 7-20 - San Gabriel River and Impaired Tributaries Metals and Selenium TMDL WLAs, Dry Weather<sup>24</sup>**

Reaches	Units	Copper, TR		Selenium, TR	
		Max. Daily	Avg. Monthly	Max. Daily	Avg. Monthly
SJC R-1, 2 <sup>1</sup>	µg/L	---	---	8.2	4.1
<del>SGR R-1<sup>2</sup></del>	<del>µg/L</del>	<del>30</del>	<del>15</del>	<del>---</del>	<del>---</del>

**Table 53. WQBELs based on Basin Plan section 7-20 - San Gabriel River and Impaired Tributaries Metals and Selenium TMDL WLAs, Wet-Weather<sup>53</sup>**

Reaches	Units	Copper, TR <sup>6</sup>		Lead, TR		Zinc, TR	
		Max. Daily	Avg. Monthly	Max. Daily	Avg. Monthly	Max. Daily	Avg. Monthly
SJC R-1, 2 <sup>1</sup>	µg/L	---	---	---	---	---	---
<del>SGR R-1<sup>2</sup></del>	<del>µg/L</del>	<del>---</del>	<del>---</del>	<del>---</del>	<del>---</del>	<del>---</del>	<del>---</del>
SGR R 2 <sup>3</sup>	µg/L	---	---	166	83	---	---

- San Jose Creek Reach 1 (Confluence to Temple Street) and San Jose Reach 2 (Temple Street to I-10 Freeway at White Avenue)
- ~~San Gabriel River Reach 1 (Firestone Avenue to Estuary).~~
- San Gabriel River Reach 2 (Whittier Narrows to Firestone Avenue), and upstream reaches and tributaries

- The pH of the discharge shall at all times be within the range of 6.5 and 8.5.
- The temperature of the discharge shall not exceed 86°F.
- Pass-through or uncontrollable discharges of PCBs shall not exceed daily average concentrations of 14 ng/L into fresh waters or 30 ng/L into estuarine waters.

**B. Land Discharge Specifications (Not Applicable)**

**C. Reclamation Specifications (Not Applicable)**

**VI. RECEIVING WATER LIMITATIONS**

**A. Surface Water Limitations**

Receiving water limitations are based on water quality objectives/criteria contained in the Basin Plan and are a required part of this Order. The discharge shall not cause the following in the receiving waterbody.

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<sup>4</sup> For purposes of this General Permit, discharges occurring from April 15<sup>th</sup> through November 14<sup>th</sup> are considered dry weather discharges.

<sup>5</sup> For purposes of this General Permit, discharges occurring from November 15<sup>th</sup> through April 14<sup>th</sup> are considered wet weather discharges.

<sup>6</sup> Total Recoverable (TR)

1. The pH to be depressed below 6.5 or raised above 8.5 units and the ambient pH levels to be changed from natural conditions in inland waters more than 0.5 units or in estuaries more than 0.2 units.
2. The temperature at any time or place and within any given 24-hour period to be altered by more than 5°F above natural temperature; but at no time be raised above 80°F for waters with a beneficial use of WARM (Warm Freshwater Habitat).
3. The dissolved oxygen to be depressed below:

WARM <sup>1</sup> designated waters	5 mg/L
COLD <sup>1</sup> designated waters	6 mg/L
COLD and SPWN <sup>1</sup> Designated waters	7 mg/L

<sup>1</sup> Beneficial Uses: WARM - Warm Freshwater Habitat; COLD - Cold Freshwater Habitat; SPWN - Spawning, Reproduction, and/or Early Development

4. The presence of visible, floating, suspended or deposited macroscopic particulate matter or foam.
5. Oils, greases, waxes, or other materials in concentrations that result in a visible film or coating on the surface of the receiving water or on objects in the water.
6. Suspended or settleable materials, chemical substances or pesticides in amounts that cause nuisance or adversely affect any designated beneficial use.
7. Accumulation of bottom deposits or aquatic growths.
8. Biostimulatory substances at concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses.
9. The presence of substances that result in increases of BOD that adversely affect beneficial uses.
10. Taste or odor-producing substances in concentrations that alter the natural taste, odor, and/or color of fish, shellfish, or other edible aquatic resources; cause nuisance; or adversely affect beneficial uses.
11. Alteration of turbidity, or apparent color beyond present natural background levels.
12. Damage, discolor, nor cause formation of sludge deposits on flood control structures or facilities nor overload the design capacity.
13. Degrade surface water communities and populations including vertebrate, invertebrate, and plant species.
14. Problems associated with breeding of mosquitoes, gnats, black flies, midges, or other pests.
15. Create nuisance, or adversely affect beneficial uses of the receiving water.
- ~~15-16.~~ [Cause or contribute to an excursion above any applicable water quality objective in the receiving water, other than those objectives for priority pollutants in the SIP/CTR for which a categorical exception is granted by this Order, as described in Finding III.C.](#)

**B. Groundwater Limitations**

Discharges from the well start-up and treatment system operations will be re-infiltrated back into the same groundwater basin. Therefore, the groundwater quality of the aquifer is not expected to be impacted by the recharge operations as no new pollutants are introduced in the recharge; ~~therefore, receiving water limitations are not applicable.~~

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**VII. PROVISIONS**

Standard Provisions, which apply to all NPDES permits in accordance with 40 CFR sections 122.41 and 122.42, are included in this Order. The Discharger must comply with all Standard Provisions and with those additional conditions that are applicable under 40 CFR section 122.42. The Regional Water Board has also provided in this Order special provisions applicable to the Dischargers authorized by this Order. A rationale for the special provisions contained in this Order is provided in the attached Fact Sheet.

**A. Standard Provisions**

1. The Discharger shall comply with all Standard Provisions included in Attachment D of this Order. If there is any conflict between provisions stated herein and the Standard Provisions in Attachment D, the provisions stated herein prevail.
2. The Discharger shall comply with the following provisions:
  - a. The Executive Officer may require any discharger authorized under this Order to apply for and obtain an individual NPDES permit with more specific requirements if the Discharger has been notified in writing that a permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the Discharger to file the application, and a statement that on the effective date of the individual permit, the authority to discharge under this Order is no longer applicable.
  - b. Discharges are limited to a one-time startup event for each facility which is defined as the period of time required by CDPH to ensure treatment adequate for potable use. Discharges shall only occur during dry periods. The Discharger shall notify the applicable MS4 permittee of the planned discharge.
  - c. Dischargers shall implement Best Management Practices (BMPs) to prevent pollutants from reaching downstream surface waters. BMPs to be proposed by the Discharger shall include but not be limited to installation of discharge diversion structures such as rubber dams. ~~If necessary bird nettings maybe utilized at diversion facilities to prevent birds from habitation in the discharge pool.~~
  - d. Oil or oily materials, chemicals, refuse, or other materials that may cause pollution in storm water and/or urban runoff shall not be stored or deposited in areas where they may be picked up by rainfall/urban runoff and discharged to surface waters. Any spill of such materials shall be contained, removed and cleaned immediately.
  - e. This Order neither exempts the Discharger from compliance with any other laws, regulations, or ordinances that may be applicable, nor legalizes the waste disposal facility.
  - f. The Discharger shall at all times properly operate and maintain all facilities and systems installed or used to achieve compliance with this Order.
  - g. Any discharger authorized under this Order may request to be excluded from the coverage of this Order by applying for an individual permit.

**B. Monitoring and Reporting Program Requirements**

The Executive Officer is hereby authorized to prescribe a Monitoring and Reporting Program for each authorized discharger. The Discharger shall comply with the MRP accompanying the transmittal for enrollment under this General Permit, and future revisions thereto. If there is any conflict between provisions stated in the MRP and the Regional Water Board Standard Provisions, those provisions stated in the MRP shall prevail.

**REVISIONS TENTATIVE**

**C. Enforcement**

1. Violation of any of the provisions of this Order may subject the Discharger to any of the penalties described herein or in Attachment D of this Order, or any combination thereof, at the discretion of the prosecuting authority.
2. Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges authorized by this Order, may subject the Discharger to administrative or judicial civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may subject the Discharger to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities.
3. The California Water Code provides that any person who violates a waste discharge requirement or a provision of the California Water Code is subject to civil penalties of up to \$5,000 per day, \$10,000 per day, or \$25,000 per day of violation, or when the violation involves the discharge of pollutants, is subject to civil penalties of up to \$10 per gallon per day or \$25 per gallon per day of violation; or some combination thereof, depending on the violation, or upon the combination of violations.
4. California Water Code section 13385(h)(1) requires the Regional Water Board to assess a mandatory minimum penalty of three-thousand dollars (\$3,000) for each serious violation. Pursuant to California Water Code section 13385(h)(2), a "serious violation" is defined as any waste discharge that violates the effluent limitations contained in the applicable waste discharge requirements for a Group II pollutant by 20 percent or more, or for a Group I pollutant by 40 percent or more. Appendix A of 40 CFR section 123.45 specifies the Group I and II pollutants. Pursuant to California Water Code section 13385.1(a)(1), a "serious violation" is also defined as "a failure to file a discharge monitoring report required pursuant to section 13383 for each complete period of 30 days following the deadline for submitting the report, if the report is designed to ensure compliance with limitations contained in waste discharge requirements that contain effluent limitations."
5. California Water Code section 13385(i) requires the Regional Water Board to assess a mandatory minimum penalty of three-thousand dollars (\$3,000) for each violation whenever a person violates a waste discharge requirement effluent limitation in any period of six consecutive months, except that the requirement to assess the mandatory minimum penalty shall not be applicable to the first three violations within that time period.
6. Pursuant to California Water Code section 13385.1(d), for the purposes of section 13385.1 and subdivisions (h), (i), and (j) of section 13385, "effluent limitation" means a numeric restriction or a numerically expressed narrative restriction, on the quantity, discharge rate, concentration, or toxicity units of a pollutant or pollutants that may be discharged from an authorized location. An effluent limitation may be final or interim, and may be expressed as a prohibition. An effluent limitation, for these purposes, does not include a receiving water limitation, a compliance schedule, or a best management practice.

**REVISED TENTATIVE**

**D. Special Provisions**

**1. Reopener Provisions**

- a. ~~This Order may be modified, revoked and reissued, or terminated for cause. Reasons for modification may include new information on the impact of discharges regulated under this Order become available, promulgation of new effluent standards~~

~~and/or regulations, adoption of new policies and/or water quality objectives, and/or new judicial decisions affecting requirements of this Order.~~

Pursuant to 40 CFR sections 122.62 and 122.63, this Order may be modified, revoked and reissued, or terminated for cause. Reasons for modification may include new information on the impact of discharges regulated under this Order become available, promulgation of new effluent standards and/or regulations, adoption of new policies and/or water quality objectives, and/or new judicial decisions affecting requirements of this Order. In addition, if receiving water quality is threatened due to discharges covered under this General Permit, this General Permit will be reopened to incorporate more stringent effluent limitations for the constituents creating the threat.

**E. Special Studies, Technical Reports and Additional Monitoring Requirements (Not Applicable)**

**~~F. Best Management Practices of Pollution Prevention~~**

~~All Dischargers are encouraged to implement Best Management Practices and Pollution Prevention Plans to minimize pollutant concentrations in the discharge.~~

**~~G.F. Construction, Operation and Maintenance Specifications (Not applicable)~~**

**~~H.G. Engineering Design Report~~**

For all new dischargers and existing dischargers where significant changes have made since prior submittals to the Regional Water Board, the NOI shall be accompanied by documentation, which demonstrates that the discharge will comply with the prohibitions, effluent limitations, and other conditions of the General Permit.

**~~I.H. Special Provisions for Municipal Facilities (POTWs Only) (Not Applicable)~~**

**~~J.I. Other Special Provisions~~**

**1. Expiration and Continuation of this Order**

This Order expires on June 30, 2019; however, for those dischargers authorized to discharge under this Order, it shall continue in full force and effect until the Regional Water Board adopts a new order.

**~~K.J. Compliance Schedules (Not Applicable)~~**

**VIII. COMPLIANCE DETERMINATION**

Compliance with the effluent limitations contained in Part IV of this Order will be determined as specified below:

**A. General.**

Compliance with effluent limitations shall be determined using sample reporting protocols defined in the MRP. For purposes of reporting and administrative enforcement by the Regional and State Water Boards, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level where applicable (RL).

**B. Multiple Sample Data.**

When determining compliance with an Average Monthly Effluent Limitation or Maximum Daily Effluent Limitation for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

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1. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
2. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

**C. Average Monthly Effluent Limitation (AMEL).**

If the average (or when applicable, the median determined by subsection B above for multiple sample data) of daily discharges over a calendar month exceeds the AMEL for a given parameter, this will represent a single violation, though the Discharger will be considered out of compliance for each day of that month for that parameter (e.g., resulting in 31 days of non-compliance in a 31-day month). If only a single sample is taken during the calendar month and the analytical result for that sample exceeds the AMEL, the Discharger will be considered out of compliance for that calendar month. The Discharger will only be considered out of compliance for days when the discharge occurs. For any one calendar month during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar month.

**D. Average Weekly Effluent Limitation (AWEL).**

If the average < (or when applicable, the median determined by subsection B above for multiple sample data)> of daily discharges over a calendar week exceeds the AWEL for a given parameter, this will represent a single violation, though the Discharger will be considered out of compliance for each day of that week for that parameter, resulting in 7 days of non-compliance. If only a single sample is taken during the calendar week and the analytical result for that sample exceeds the AWEL, the Discharger will be considered out of compliance for that calendar week. The Discharger will only be considered out of compliance on days when the discharge occurs. For any one calendar week during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar week.

**E. Maximum Daily Effluent Limitation (MDEL).**

If a daily discharge exceeds the MDEL for a given parameter, the Discharger will be considered out of compliance for that parameter for that 1 day only within the reporting period. For any 1 day during which no sample is taken, no compliance determination can be made for that day.

**F. Instantaneous Minimum Effluent Limitation.**

If the analytical result of a single grab sample is lower than the instantaneous minimum effluent limitation for a parameter, the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both are lower than the instantaneous minimum effluent limitation would result in two instances of non-compliance with the instantaneous minimum effluent limitation).

**G. Instantaneous Maximum Effluent Limitation.**

If the analytical result of a single grab sample is higher than the instantaneous maximum effluent limitation for a parameter, the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both exceed

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the instantaneous maximum effluent limitation would result in two instances of non-compliance with the instantaneous maximum effluent limitation).

**REVISIONS**  
**TENTATIVE**

**APPENDIX A**  
**SWRCB Minimum Levels in ppb (µg/L)**

The Minimum Levels (MLs) in this appendix are for use in reporting and compliance determination purposes in accordance with section 2.4 of the State Implementation Policy. These MLs were derived from data for priority pollutants provided by State certified analytical laboratories in 1997 and 1998. These MLs shall be used until new values are adopted by the SWRCB and become effective. The following tables (Tables 2a - 2d) present MLs for four major chemical groupings: volatile substances, semi-volatile substances, inorganics, and pesticides and PCBs.

Table 2a - VOLATILE SUBSTANCES*	GC	GCMS
1,1 Dichloroethane	0.5	1
1,1 Dichloroethene	0.5	2
1,1,1 Trichloroethane	0.5	2
1,1,2 Trichloroethane	0.5	2
1,1,2,2 Tetrachloroethane	0.5	1
1,2 Dichlorobenzene (volatile)	0.5	2
1,2 Dichloroethane	0.5	2
1,2 Dichloropropane	0.5	1
1,3 Dichlorobenzene (volatile)	0.5	2
1,3 Dichloropropene (volatile)	0.5	2
1,4 Dichlorobenzene (volatile)	0.5	2
Acrolein	2.0	5
Acrylonitrile	2.0	2
Benzene	0.5	2
Bromoform	0.5	2
Bromomethane	1.0	2
Carbon Tetrachloride	0.5	2
Chlorobenzene	0.5	2
Chlorodibromo-methane	0.5	2
Chloroethane	0.5	2
Chloroform	0.5	2
Chloromethane	0.5	2
Dichlorobromo-methane	0.5	2
Dichloromethane	0.5	2
Ethylbenzene	0.5	2
Tetrachloroethene	0.5	2
Toluene	0.5	2
Trans-1,2 Dichloroethylene	0.5	1
Trichloroethene	0.5	2
Vinyl Chloride	0.5	2

\*The normal method-specific factor for these substances is 1; therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance.

Table 2b - SEMI-VOLATILE SUBSTANCES*	GC	GCMS	LC	COLOR
1,2 Benzanthracene	10	5		
1,2 Dichlorobenzene (semivolatile)	2	2		
1,2 Diphenylhydrazine		1		
1,2,4 Trichlorobenzene	1	5		
1,3 Dichlorobenzene (semivolatile)	2	1		
1,4 Dichlorobenzene (semivolatile)	2	1		
2 Chlorophenol	2	5		
2,4 Dichlorophenol	1	5		
2,4 Dimethylphenol	1	2		
2,4 Dinitrophenol	5	5		
2,4 Dinitrotoluene	10	5		
2,4,6 Trichlorophenol	10	10		
2,6 Dinitrotoluene		5		
2- Nitrophenol		10		
2-Chloroethyl vinyl ether	1	1		
2-Chloronaphthalene		10		
3,3' Dichlorobenzidine		5		
3,4 Benzofluoranthene		10	10	
4 Chloro-3-methylphenol	5	1		
4,6 Dinitro-2-methylphenol	10	5		
4- Nitrophenol	5	10		
4-Bromophenyl phenyl ether	10	5		
4-Chlorophenyl phenyl ether		5		
Acenaphthene	1	1	0.5	
Acenaphthylene		10	0.2	
Anthracene		10	2	
Benzidine		5		
Benzo(a) pyrene(3,4 Benzopyrene)		10	2	
Benzo(g,h,i)perylene		5	0.1	
Benzo(k)fluoranthene		10	2	
bis 2-(1-Chloroethoxyl) methane		5		
bis(2-chloroethyl) ether	10	1		
bis(2-Chloroisopropyl) ether	10	2		
bis(2-Ethylhexyl) phthalate	10	5		
Butyl benzyl phthalate	10	10		
Chrysene		10	5	
di-n-Butyl phthalate		10		
di-n-Octyl phthalate		10		
Dibenzo(a,h)-anthracene		10	0.1	
Diethyl phthalate	10	2		
Dimethyl phthalate	10	2		
Fluoranthene	10	1	0.05	
Fluorene		10	0.1	
Hexachloro-cyclopentadiene	5	5		
Hexachlorobenzene	5	1		
Hexachlorobutadiene	5	1		
Hexachloroethane	5	1		

Table 2b - SEMI-VOLATILE SUBSTANCES*	GC	GCMS	LC	COLOR
Indeno(1,2,3,cd)-pyrene		10	0.05	
Isophorone	10	1		
N-Nitroso diphenyl amine	10	1		
N-Nitroso-dimethyl amine	10	5		
N-Nitroso -di n-propyl amine	10	5		
Naphthalene	10	1	0.2	
Nitrobenzene	10	1		
Pentachlorophenol	1	5		
Phenanthrene		5	0.05	
Phenol **	1	1		50
Pyrene		10	0.05	

\* With the exception of phenol by colorimetric technique, the normal method-specific factor for these substances is 1,000; therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance multiplied by 1,000.

\*\* Phenol by colorimetric technique has a factor of 1.

Table 2c – INORGANICS*	FAA	GFAA	ICP	ICPMS	SPGFAA	HYDRIDE	CVAA	COLOR	DCP
Antimony	10	5	50	0.5	5	0.5			1,000
Arsenic		2	10	2	2	1		20	1,000
Beryllium	20	0.5	2	0.5	1				1,000
Cadmium	10	0.5	10	0.25	0.5				1,000
Chromium (total)	50	2	10	0.5	1				1,000
Chromium VI	5							10	
Copper	25	5	10	0.5	2				1,000
Cyanide								5	
Lead	20	5	5	0.5	2				10,000
Mercury				0.5			0.2		
Nickel	50	5	20	1	5				1,000
Selenium		5	10	2	5	1			1,000
Silver	10	1	10	0.25	2				1,000
Thallium	10	2	10	1	5				1,000
Zinc	20		20	1	10				1,000

\* The normal method-specific factor for these substances is 1; therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance.

Table 2d – PESTICIDES – PCBs*	GC
4,4'-DDD	0.05
4,4'-DDE	0.05
4,4'-DDT	0.01
a-Endosulfan	0.02
a-Hexachloro-cyclohexane	0.01
Aldrin	0.005
b-Endosulfan	0.01
b-Hexachloro-cyclohexane	0.005
Chlordane	0.1

d-Hexachloro-cyclohexane	0.005
Dieldrin	0.01
Endosulfan Sulfate	0.05
Endrin	0.01
Endrin Aldehyde	0.01
Heptachlor	0.01
Heptachlor Epoxide	0.01
Lindane(g-Hexachloro-cyclohexane)	0.02
PCB 1016	0.5
PCB 1221	0.5
PCB 1232	0.5
PCB 1242	0.5
PCB 1248	0.5
PCB 1254	0.5
PCB 1260	0.5
Toxaphene	0.5

\* The normal method-specific factor for these substances is 100; therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance multiplied by 100.

**Techniques:**

- GC - Gas Chromatography
- GCMS - Gas Chromatography/Mass Spectrometry
- HRGCMS - High Resolution Gas Chromatography/Mass Spectrometry (i.e., EPA 1613, 1624, or 1625)
- LC - High Pressure Liquid Chromatography
- FAA - Flame Atomic Absorption
- GFAA - Graphite Furnace Atomic Absorption
- HYDRIDE - Gaseous Hydride Atomic Absorption
- CVAA - Cold Vapor Atomic Absorption
- ICP - Inductively Coupled Plasma
- ICPMS - Inductively Coupled Plasma/Mass Spectrometry
- SPGFAA - Stabilized Platform Graphite Furnace Atomic Absorption (i.e., EPA 200.9)
- DCP - Direct Current Plasma
- COLOR – Colorimetric

APPENDIX B

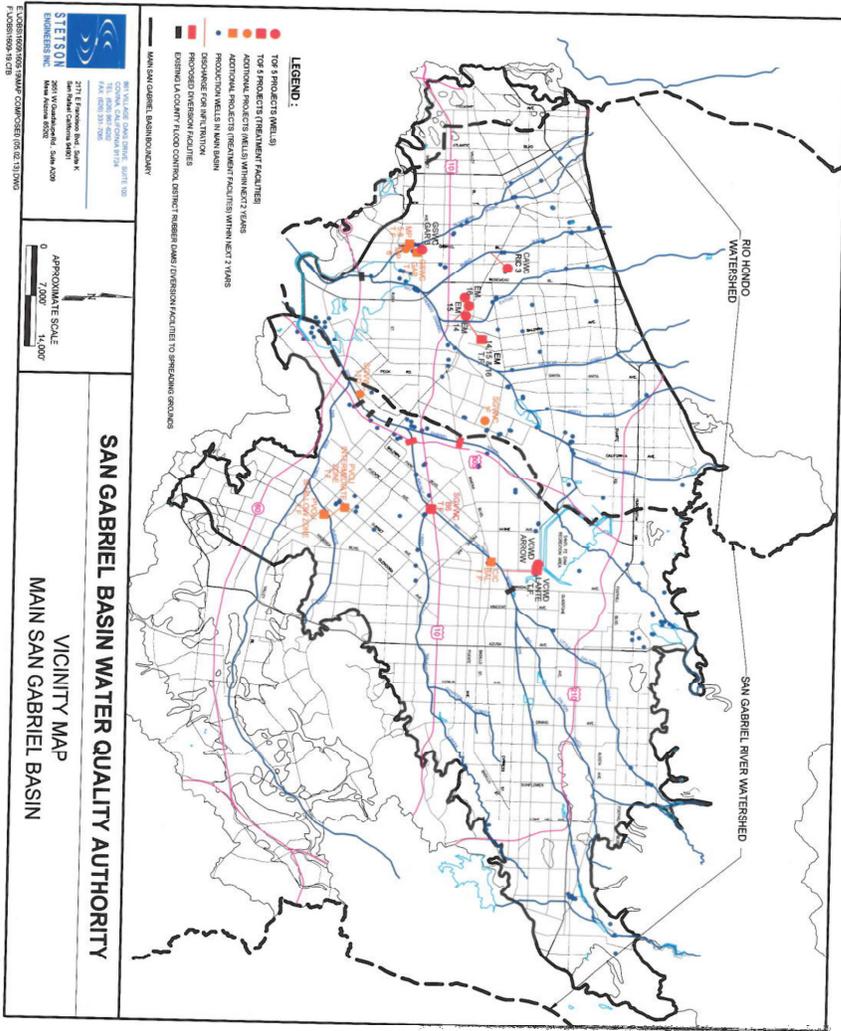


FIGURE 1 VICINITY MAP



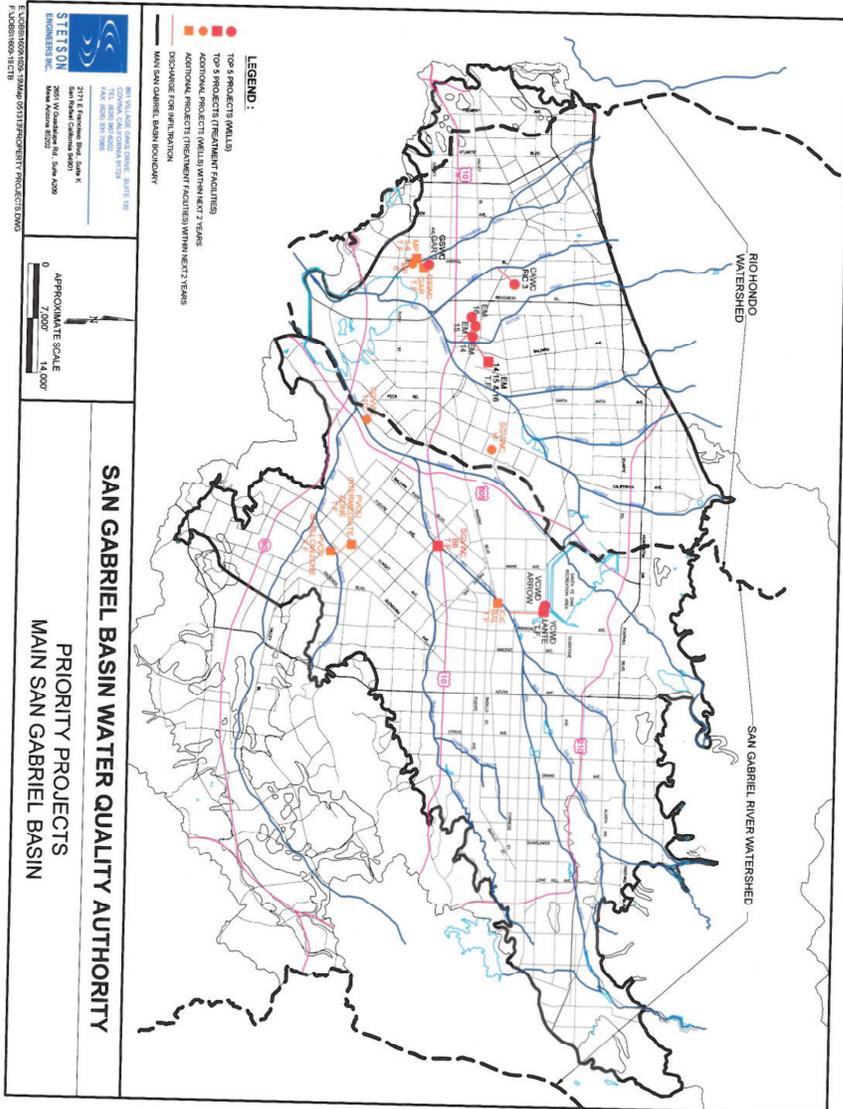


FIGURE 3. PRIORITY PROJECTS

## ATTACHMENT A – DEFINITIONS, ACRONYMS & ABBREVIATIONS

**Arithmetic Mean ( $\mu$ )**, also called the average, is the sum of measured values divided by the number of samples. For ambient water concentrations, the arithmetic mean is calculated as follows:

Arithmetic mean =  $\mu = \Sigma x / n$       where:  $\Sigma x$  is the sum of the measured ambient water concentrations, and  $n$  is the number of samples.

**Average Monthly Effluent Limitation (AMEL):** the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

**Average Weekly Effluent Limitation (AWEL):** the highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

**Bioaccumulative** pollutants are those substances taken up by an organism from its surrounding medium through gill membranes, epithelial tissue, or from food and subsequently concentrated and retained in the body of the organism.

**Carcinogenic** pollutants are substances that are known to cause cancer in living organisms.

**Coefficient of Variation (CV)** is a measure of the data variability and is calculated as the estimated standard deviation divided by the arithmetic mean of the observed values.

**Daily Discharge:** Daily Discharge is defined as either: (1) the total mass of the constituent discharged over the calendar day (12:00 am through 11:59 pm) or any 24-hour period that

reasonably represents a calendar day for purposes of sampling (as specified in the permit), for a constituent with limitations expressed in units of mass or; (2) the unweighted arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

The daily discharge may be determined by the analytical results of a composite sample taken over the course of one day (a calendar day or other 24-hour period defined as a day) or by the arithmetic mean of analytical results from one or more grab samples taken over the course of the day.

For composite sampling, if 1 day is defined as a 24-hour period other than a calendar day, the analytical result for the 24-hour period will be considered as the result for the calendar day in which the 24-hour period ends.

**Detected, but Not Quantified (DNQ)** are those sample results less than the RL, but greater than or equal to the laboratory's MDL.

**Dilution Credit** is the amount of dilution granted to a discharge in the calculation of a water quality-based effluent limitation, based on the allowance of a specified mixing zone. It is calculated from the dilution ratio or determined through conducting a mixing zone study or modeling of the discharge and receiving water.

**Effluent Concentration Allowance (ECA)** is a value derived from the water quality criterion/objective, dilution credit, and ambient background concentration that is used, in conjunction with the coefficient of variation for the effluent monitoring data, to calculate a long-term average (LTA) discharge concentration. The ECA has the same meaning as waste load allocation (WLA) as used in USEPA guidance (Technical Support Document For Water Quality-based Toxics Control, March 1991, second printing, EPA/505/2-90-001).

**Enclosed Bays** means indentations along the coast that enclose an area of oceanic water within distinct headlands or harbor works. Enclosed bays include all bays where the narrowest distance between the headlands or outermost harbor works is less than 75 percent of the greatest dimension of the enclosed portion of the bay. Enclosed bays include, but are not limited to, Humboldt Bay, Bodega Harbor, Tomales Bay, Drake's Estero, San Francisco Bay, Morro Bay, Los Angeles-Long Beach Harbor, Upper and Lower Newport Bay, Mission Bay, and San Diego Bay. Enclosed bays do not include inland surface waters or ocean waters.

**Estimated Chemical Concentration** is the estimated chemical concentration that results from the confirmed detection of the substance by the analytical method below the ML value.

**Estuaries** means waters, including coastal lagoons, located at the mouths of streams that serve as areas of mixing for fresh and ocean waters. Coastal lagoons and mouths of streams that are temporarily separated from the ocean by sandbars shall be considered estuaries. Estuarine waters shall be considered to extend from a bay or the open ocean to a point upstream where there is no significant mixing of fresh water and seawater. Estuarine waters included, but are not limited to, the Sacramento-San Joaquin Delta, as defined in California Water Code section 12220, Suisun Bay, Carquinez Strait downstream to the Carquinez Bridge, and appropriate areas of the Smith, Mad, Eel, Noyo, Russian, Klamath, San Diego, and Otay rivers. Estuaries do not include inland surface waters or ocean waters.

**Inland Surface Waters** are all surface waters of the State that do not include the ocean, enclosed bays, or estuaries.

**Instantaneous Maximum Effluent Limitation:** the highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

**Instantaneous Minimum Effluent Limitation:** the lowest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous minimum limitation).

**Maximum Daily Effluent Limitation (MDEL)** means the highest allowable daily discharge of a pollutant, over a calendar day (or 24-hour period). For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the arithmetic mean measurement of the pollutant over the day.

**Median** is the middle measurement in a set of data. The median of a set of data is found by first arranging the measurements in order of magnitude (either increasing or decreasing order). If the number of measurements ( $n$ ) is odd, then the median =  $X_{(n+1)/2}$ . If  $n$  is even, then the median =  $(X_{n/2} + X_{(n/2)+1})/2$  (i.e., the midpoint between the  $n/2$  and  $n/2+1$ ).

**Method Detection Limit (MDL)** is the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero, as defined in title 40 of the Code of Federal Regulations, Part 136, Attachment B, revised as of July 3, 1999.

**Minimum Level (ML)** is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

**Mixing Zone** is a limited volume of receiving water that is allocated for mixing with a wastewater discharge where water quality criteria can be exceeded without causing adverse effects to the overall water body.

**Not Detected (ND)** are those sample results less than the laboratory's MDL.

**Ocean Waters** are the territorial marine waters of the State as defined by California law to the extent these waters are outside of enclosed bays, estuaries, and coastal lagoons. Discharges to ocean waters are regulated in accordance with the State Water Board's California Ocean Plan.

**Persistent** pollutants are substances for which degradation or decomposition in the environment is nonexistent or very slow.

**Pollutant Minimization Program (PMP)** means waste minimization and pollution prevention actions that include, but are not limited to, product substitution, waste stream recycling, alternative waste management methods, and education of the public and businesses. The goal of the PMP shall be to reduce all potential sources of a priority pollutant(s) through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation. Pollution prevention measures may be particularly appropriate for persistent bioaccumulative priority pollutants where there is evidence that beneficial uses are being impacted. The Regional Water Board may consider cost effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan, if

required pursuant to California Water Code section 13263.3(d), shall be considered to fulfill the PMP requirements.

**Pollution Prevention** means any action that causes a net reduction in the use or generation of a hazardous substance or other pollutant that is discharged into water and includes, but is not limited to, input change, operational improvement, production process change, and product reformulation (as defined in California Water Code section 13263.3). Pollution prevention does not include actions that merely shift a pollutant in wastewater from one environmental medium to another environmental medium, unless clear environmental benefits of such an approach are identified to the satisfaction of the State or Regional Water Board.

**Reporting Level (RL)** is the ML (and its associated analytical method) chosen by the Discharger for reporting and compliance determination from the MLs included in this Order. The MLs included in this Order correspond to approved analytical methods for reporting a sample result that are selected by the Regional Water Board either from Appendix 4 of the SIP in accordance with section 2.4.2 of the SIP or established in accordance with section 2.4.3 of the SIP. The ML is based on the proper application of method-based analytical procedures for sample preparation and the absence of any matrix interferences. Other factors may be applied to the ML depending on the specific sample preparation steps employed. For example, the treatment typically applied in cases where there are matrix-effects is to dilute the sample or sample aliquot by a factor of ten. In such cases, this additional factor must be applied to the ML in the computation of the RL.

**Satellite Collection System** is the portion, if any, of a sanitary sewer system owned or operated by a different public agency than the agency that owns and operates the wastewater treatment facility that a sanitary sewer system is tributary to.

**Source of Drinking Water** is any water designated as municipal or domestic supply (MUN) in a Regional Water Board Basin Plan.

**Standard Deviation ( $\sigma$ )** is a measure of variability that is calculated as follows:

$$\sigma = \left( \frac{\sum[(x - \mu)^2]}{(n - 1)} \right)^{0.5}$$

where:

x	is the observed value;
$\mu$	is the arithmetic mean of the observed values; and
n	is the number of samples.

**Toxicity Reduction Evaluation (TRE)** is a study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. (A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.)

## ACRONYMS & Abbreviations

AMEL	Average Monthly Effluent Limitation
B	Background Concentration
BAT	Best Available Technology Economically Achievable
Basin Plan	Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties
BCT	Best Conventional Pollutant Control Technology
BMP	Best Management Practices
BMPP	Best Management Practices Plan
BPJ	Best Professional Judgment
BOD	Biochemical Oxygen Demand
BPT	Best practicable treatment control technology
C	Water Quality Objective
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CTR	California Toxics Rule
CV	Coefficient of Variation
CWA	Clean Water Act
CWC	California Water Code
DMR	Discharge Monitoring Report
DNQ	Detected But Not Quantified
ECA	Effluent Concentration Allowance
ELAP	California Department of Health Services Environmental Laboratory Accreditation Program
ELG	Effluent Limitations, Guidelines and Standards
gpd	gallons per day
IC	Inhibition Coefficient
IC <sub>15</sub>	Concentration at which the organism is 15% inhibited
IC <sub>25</sub>	Concentration at which the organism is 25% inhibited
IC <sub>40</sub>	Concentration at which the organism is 40% inhibited
IC <sub>50</sub>	Concentration at which the organism is 50% inhibited
LA	Load Allocations
LOEC	Lowest Observed Effect Concentration
LTA	Long-Term Average
MDEL	Maximum Daily Effluent Limitation
MDL	Method Detection Limit
MEC	Maximum Effluent Concentration
MGD	Million Gallons Per Day
mg/L	Milligrams per Liter
ML	Minimum Level
MRP	Monitoring and Reporting Program
ND	Not Detected
NOEC	No Observable Effect Concentration
NPDES	National Pollutant Discharge Elimination System
NSPS	New Source Performance Standards
NTR	National Toxics Rule
OAL	Office of Administrative Law
POTW	Publicly-Owned Treatment Works
PMP	Pollutant Minimization Plan
QA	Quality Assurance
QA/QC	Quality Assurance/Quality Control
RPA	Reasonable Potential Analysis
RWQCB	Regional Water Quality Control Board

SCP	Spill Contingency Plan
SIP	State Implementation Policy (Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California)
SMR	Self Monitoring Reports
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Test Acceptability Criteria
TDS	Total Dissolved Solids
TIE	Toxicity Identification Evaluation
TMDL	Total Maximum Daily Load
TOC	Total Organic Carbon
TRE	Toxicity Reduction Evaluation
TSD	Technical Support Document
TSS	Total Suspended Solid
TU	Toxicity Unit
USEPA	United States Environmental Protection Agency
WDR	Waste Discharge Requirements
WET	Whole Effluent Toxicity
WLA	Waste Load Allocations
WQBEL	Water Quality-Based Effluent Limitation
µg/L	Micrograms per Liter

**ATTACHMENT B – NOTICE OF INTENT &  
INSTRUCTIONS FOR COMPLETING THE NOTICE OF INTENT**



**Los Angeles Regional Water Quality Control Board**

**NOTICE OF INTENT**

TO COMPLY WITH GENERAL WASTE DISCHARGE REQUIREMENTS  
AND  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

**SECTION I. DISCHARGE STATUS**

Check only one item.  
 A. New Discharge       B. Material Change       C. Existing Discharge       CI # \_\_\_\_\_

**SECTION II. OWNER/OPERATOR & FACILITY INFORMATION**

A. OWNER				
Name/Agency		Contact Person		Title of Contact Person
Mailing Address			Email Address	
City	County	State	ZIP	Phone
B. OPERATOR (If different from owner)				
Name/Agency		Contact Person		Title of Contact Person
Mailing Address			Email Address	
City	County	State	ZIP	Phone
C. FACILITY				
Name of Facility		Owner Type (check one) 1. <input type="checkbox"/> City 2. <input type="checkbox"/> County 3. <input type="checkbox"/> State 4. <input type="checkbox"/> Fed 5. <input type="checkbox"/> Private		
Address		Contact email address		
City	County	State	ZIP	Phone
D. STANDARD INDUSTRIAL CLASSIFICATION CODE (SIC) (4 digit code in order of priority)				
1.)	(specify)	2.)	(specify)	
Nature of Business (provide a brief description)				

**SECTION III. APPLICABLE GENERAL PERMIT FOR DISCHARGE (Check only one item)**

<input type="checkbox"/>	Volatile Organic Compounds Contaminated Groundwater (Order No. R4-2013-0043), Include Supplemental Analysis
<input type="checkbox"/>	Wastewaters from Investigation and/or Cleanup of Petroleum Fuel Pollution (Order No. R4-2013-0042), Include Supplemental Analysis
<input type="checkbox"/>	Discharges of Groundwater from Potable Water Supply Wells (Order No. R4-2003-0108), Include Attachment A – Screening Levels
<input type="checkbox"/>	Discharges of Groundwater from Construction and Project Dewatering (Order No. R4-2013-095), Include Supplemental Analysis
<input type="checkbox"/>	Discharge of Nonprocess Wastewater (Order No. R4-2014-0060), Include Supplemental Analysis
<input type="checkbox"/>	Hydrostatic Test Water (Order No. R4-2009-0068), Include Attachment A – Screening Levels

**SECTION IV. EXISTING REQUIREMENTS/PERMITS (Skip if not applicable)**

List any active Orders or Permits adopted by this Regional Water Board for the facility.			
A. Order No.	_____	_____	_____
B. NPDES Permit(s)	_____	_____	_____

**SECTION V. OUTFALL AND RECEIVING WATER INFORMATION**

Outfall Number	Latitude			Longitude			Receiving Waterbody (River, Stream, Channel, Lake, Coastal, etc.)
	Deg.	Min.	Sec.	Deg.	Min.	Sec.	

**SECTION VI. PROJECT INFORMATION (attach additional sheets, if necessary)**

1). Description of project and discharge	
2). Description of treatment process (Attach diagram showing the treatment process, if applicable)	
3). Summary of feasibility study on conservation, reuse, and/or alternative disposal methods of the wastewater. Where full or partial reuse is not possible, provide reasons why reuse cannot be achieved.	
4). Description of additive's composition	
5). Proposed Maximum Discharge Flow	
6). Proposed discharge startup date	
7). Estimated discharge duration	

**SECTION VII. DISCHARGE QUALITY INFORMATION**

This NOI requires that you obtain and analyze representative influent wastewater sample for the pollutants listed on the [Attachment A](#) for discharges from Potable Water Supply Wells (Order No. R4-2003-0108) and Hydrostatic Test (Order No. R4-2009-0068), and [Attachment E](#) for discharges from all other sources.

*For Discharges from Potable Water Supply Wells and Hydrostatic Test:*

Have you included a completed Attachment A – **Screening for Potential Pollutants of Concern in Potable Water?**  
(Applies only to potable water related discharges.) ...  Yes  No

*For Discharges from all other sources:*

Have you included a completed **Supplemental Pollutants Analysis/Measurements Form?**  
(Complete the Quantitation Level column and attach laboratory analytical data) .....  Yes  No

If **No**, explain:

**SECTION VIII. OTHER REQUIRED INFORMATION**

Provide a 7.5' USGS Quadrangle Map (Scale 1:24,000) showing the project location and identifying surface water to which you propose to discharge.

**Fees:** Have you included appropriate filing fee with this submittal? (Applicable to new enrollees only)  
Make checks payable to the Water Resources Control Board

**SECTION IX. CERTIFICATION AND SIGNATURE (see appendix on who is authorized to sign)**

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. In addition, I assure that the provisions of the permit will be complied with."

\_\_\_\_\_ Date

\_\_\_\_\_ Printed Name of Person Signing

\_\_\_\_\_ Signature

\_\_\_\_\_ Title

**SECTION X. FORM SUBMITTAL**

Send this completed Notice of Intent to:  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LOS ANGELES REGION  
320 W. 4<sup>th</sup> Street, Suite 200  
Los Angeles, CA 90013  
**Attention: General Permit Unit**

Assistance with this form may be obtained by contacting the Regional Water Board at:  
Phone (213) 576-6600  
Fax (213) 576-6660

## INSTRUCTIONS

### FOR COMPLETING THE NOTICE OF INTENT FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMITS FOR DISCHARGE OF WASTEWATERS TO SURFACE WATERS

These instructions are intended to help you, the Discharger, complete the Notice of Intent (NOI) form for general permits. Please type or print clearly when completing the NOI form and the vicinity map(s).

One NOI should be submitted by each owner/operator to cover all proposed discharges within the boundaries of this Regional Water Board.

#### **Section I. Discharge Status**

Please check appropriate box indicating whether this application is for new discharge, material change, or existing discharge. If it is an existing discharge, indicate four digit CI #.

#### **Section II. Facility/Discharge Information**

##### **A. Section II.A. Owner**

**Name/Agency** – The name (first and last) of the owner/operator of the facility. If the owner/operator is a company, corporation, etc., please put the name of the company, corporation, etc., in this space.

**Contact Person** – Please list the name (first and last) of the contact person for the owner/operator (agency, corporation, private business, etc.) listed above.

**Mailing Address** – The street number and street name where mail and correspondence should be sent (P.O. Box is acceptable).

**E-mail Address** – Please list the e-mail address of the contact person for the owner (agency, corporation, private business, etc.) listed above.

**City, County, State, Zip Code** – The city, county, state, Zip code that apply to the mailing address given.

**Title of Contact Person** – The official company title of the contact person.

**Phone** – The daytime telephone number of the contact person.

##### **B. Section II.B. Operator (if different from owner)**

**Name/Agency** – The name (first and last) of the owner/operator of the facility. If the owner/operator is a company, corporation, etc., please put the name of the company, corporation, etc., in this space.

**Contact Person** – Please list the name (first and last) of the contact person for the owner/operator (agency, corporation, private business, etc.) listed above.

**Mailing Address** – The street number and street name where mail and correspondence should be sent (P.O. Box is acceptable).

**E-mail Address** – Please list the e-mail address of the contact person for the owner or operator (agency, corporation, private business, etc.) listed above.

**City, County, State, Zip Code** – The city, county, state, Zip code that apply to the mailing address given.

**Title of Contact Person** – The official company title of the contact person.

**Phone** – The daytime telephone number of the contact person

### **C. Section II.C. Facility**

**Name** – The name (first and last) of the person responsible for this facility.

**Address** – The street number and street name where the facility or actual discharge is located. Check the most appropriate ownership, City, County, State, Federal or Private.

**E-mail Address** – Please list the e-mail address of the contact person for the owner/operator (agency, corporation, private business, etc.) listed above.

**City, County, State, Zip Code** – The city, county, state, Zip code that apply to the facility address.

**Phone** – The daytime telephone number of the person responsible for this facility.

### **Section II.D. Standard Industrial Classification (SIC) (4 digit code in order of priority)**

List, in descending order of significance, the 4—digit standard industrial classification (SIC) codes which best describe your facility in terms of the principal products or services you produce or provide. Also, specify each classification in words. These classification may differ from the SIC codes describing the operations generating discharge, air emissions, or hazardous wastes.

SIC code numbers are descriptions which may be found in the “Standard Industrial Classification Manual” prepared by the Executive Office of the President, Office of Management and Budget, which is available from the Government Printing Office, Washington, D. C.. Use current edition of the manual. If you have any question concerning the appropriate SIC code for your facility the NPDES Permitting Units of the Regional Water Quality Control Board.

### **Section III. Type of Discharge**

Check the appropriate box indicating the type of discharge for this facility. Check only one box.

### **Section IV. Existing Requirements/Permits**

If this facility has no existing permits or orders, skip this section. If the facility has any existing permits or orders, list it in the appropriate space provided.

### **Section V. Outfall and Receiving Water Information**

If the facility discharges into a storm drain, indicate the immediate receiving waterbody (listed in the Basin Plan) where the discharge drains into.

### **Section VI. Project Information**

Provide summary description of the project. Also describe the general characteristic of the discharge. If required, indicate the treatment process that would be needed to bring the discharge into compliance. Demonstrate that options of discharging to the sanitary sewer, conservation, reuse, and infiltration have been considered and found infeasible or that potential reuse is feasible. If additives are used in the project and/or treatment, briefly describe their compositions and provide corresponding Material Safety Data Sheet (MSDS) Form. Provide estimate of maximum discharge flow rate, proposed discharge startup date, and estimated discharge duration.

### **Section VII. Discharge Quality**

This NOI requires that you obtain and analyze for the pollutants listed on the *Supplemental Pollutants Analysis/Measurements* or, *Attachment E – Screening Levels for Potential Pollutants of Concern in Potable Water (applies to potable water related discharges only)*. Check the YES box if analytical result is attached. If not, provide reasons why it was not included. Note that processing of your NOI application may be delayed until this required information is provided.

**Section VIII. Other Required Information**

Attach to this application a topographic map (7.5' USGS Quadrangle Map, Scale 1:24,000) of the area. The map must show the outline of the facility.

**Section IX. Certification and Signature**

**Printed Name of Person Signing** – Please type or print legibly. This section should be filled out by the responsible person as defined by 40 CFR section 122.22.

**Signature and Date** – Signature of name printed above and the date signed.

**Title** – The professional title of the person signing the NOI.

Required signatories per 40 CFR section 122.22

1. For a corporation  
By responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (I) A president, secretary, treasurer or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental laws and regulations; the manager can assure that the necessary systems are established or action taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
2. For a partnership or sole proprietorship  
By a general partner or the proprietor, respectively; or
3. For a municipality, State, Federal or public agency  
By either a principal executive officer or ranking elected official. For the purposes of this section, a principal executive officer of a Federal agency includes: (I) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operation of a principal geographic unit of the agency.

## Attachment C – Standard Provisions

### I. STANDARD PROVISIONS – PERMIT COMPLIANCE

#### A. Duty to Comply

1. The Discharger must comply with all of the terms, requirements, and conditions of this Order. Any noncompliance constitutes a violation of the CWA, its regulations, and the CWC and is grounds for enforcement action, for permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof [40 CFR § 122.41(a); CWC §§ 13261, 13263, 13264, 13265, 13268, 13300, 13301, 13304, 13340, 13350, 13385].
2. The Discharger shall comply with effluent standards or prohibitions established under section 307(a) of the CWA for toxic pollutants and with standards for sewage sludge use or disposal established under section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not been modified to incorporate the requirement [40 CFR § 122.41(a)(1)].

#### B. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order [40 CFR § 122.41(c)].

#### C. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment [40 CFR § 122.41(d)].

#### D. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order [40 CFR § 122.41(e)].

#### E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges [40 CFR § 122.41(g)].
2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of State or local law or regulations [40 CFR § 122.5(c)].

#### F. Inspection and Entry

The Discharger shall allow the Regional Water Quality Control Board (Regional Water Board), State Water Resources Control Board (State Water Board), USEPA, and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to [33 U.S.C. § 1318(a)(4)(B); 40 CFR § 122.41(i); CWC §§ 13267 and 13383]:

1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order [33 U.S.C. § 1318(a)(4)(B)(i); 40 CFR § 122.41(i)(1); CWC §§ 13267 and 13383];
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order [33 U.S.C. § 1318(a)(4)(B)(ii); 40 CFR § 122.41(i)(2); CWC §§ 13267 and 13383];
3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order [33 U.S.C. § 1318(a)(4)(B)(ii); 40 CFR § 122.41(i)(3); CWC §§ 13267 and 13383];
4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the CWC, any substances or parameters at any location [33 U.S.C. § 1318(a)(4)(B)(ii); 40 CFR § 122.41(i)(4); CWC §§ 13267 and 13383].

#### G. Bypass

##### 1. Definitions

- a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility [40 CFR § 122.41(m)(1)(i)].
- b. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production [40 CFR § 122.41(m)(1)(ii)].

2. Bypass not exceeding limitations – The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance I.G.3, I.G.4, and I.G.5 below [40 CFR § 122.41(m)(2)].

3. Prohibition of bypass – Bypass is prohibited, and the Regional Water Board may take enforcement action against a Discharger for bypass, unless [40 CFR § 122.41(m)(4)(i)]:

- a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage [40 CFR § 122.41(m)(4)(A)];
- b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance [40 CFR § 122.41(m)(4)(B)]; and

- c. The Discharger submitted notice to the Regional Water Board as required under Standard Provisions – Permit Compliance I.G.5 below [40 CFR § 122.41(m)(4)(C)].
4. The Regional Water Board may approve an anticipated bypass, after considering its adverse effects, if the Regional Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance I.G.3 above [40 CFR § 122.41(m)(4)(ii)].
5. Notice
  - a. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit a notice, if possible at least 10 days before the date of the bypass [40 CFR § 122.41(m)(3)(i)].
  - b. Unanticipated bypass. The Discharger shall submit notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below [40 CFR § 122.41(m)(3)(ii)].

#### H. Upset

“Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation [40 CFR § 122.41(n)(1)].

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Standard Provisions – Permit Compliance I.H.2 below are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review [40 CFR § 122.41(n)(2)].
2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that [40 CFR § 122.41(n)(3)]:
  - a. An upset occurred and that the Discharger can identify the cause(s) of the upset [40 CFR § 122.41(n)(3)(i)];
  - b. The permitted facility was, at the time, being properly operated [40 CFR § 122.41(n)(3)(ii)];
  - c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b below [40 CFR § 122.41(n)(3)(iii)]; and
  - d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above [40 CFR § 122.41(n)(3)(iv)].
3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof [40 CFR § 122.41(n)(4)].

## II. STANDARD PROVISIONS – PERMIT ACTION

### A. General

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition [40 CFR § 122.41(f)].

### B. Duty to Reapply

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit [40 CFR § 122.41(b)].

### C. Transfers

This Order is not transferable to any person except after notice to the Regional Water Board. The Regional Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the CWC [40 CFR §§ 122.41(l)(3) and 122.61].

## III. STANDARD PROVISIONS – MONITORING

A. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity [40 CFR § 122.41(j)(1)].

B. Monitoring must be conducted according to test procedures approved under 40 CFR Part 136 for the analysis of pollutants unless another test procedure is required under 40 CFR subchapters N or O or is otherwise specified in this Order for such pollutants [40 CFR §§ 122.41(j)(4) and 122.44(i)(1)(iv)].

## IV. STANDARD PROVISIONS – RECORDS

A. Except for records of monitoring information required by this Order related to the Discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), the Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional Water Board Executive Officer at any time [40 CFR § 122.41(j)(2)].

B. Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements [40 CFR § 122.41(j)(3)(i)];
2. The individual(s) who performed the sampling or measurements [40 CFR § 122.41(j)(3)(ii)];
3. The date(s) analyses were performed [40 CFR § 122.41(j)(3)(iii)];
4. The individual(s) who performed the analyses [40 CFR § 122.41(j)(3)(iv)];
5. The analytical techniques or methods used [40 CFR § 122.41(j)(3)(v)]; and
6. The results of such analyses [40 CFR § 122.41(j)(3)(vi)].

C. Claims of confidentiality for the following information will be denied [40 CFR § 122.7(b)]:

1. The name and address of any permit applicant or Discharger [40 CFR § 122.7(b)(1)]; and
2. Permit applications and attachments, permits and effluent data [40 CFR § 122.7(b)(2)].

**V. STANDARD PROVISIONS – REPORTING**

A. Duty to Provide Information

The Discharger shall furnish to the Regional Water Board, State Water Board, or USEPA within a reasonable time, any information which the Regional Water Board, State Water Board, or USEPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Regional Water Board, State Water Board, or USEPA copies of records required to be kept by this Order [40 CFR § 122.41(h); CWC §§ 13267 and 13383].

B. Signatory and Certification Requirements

1. All applications, reports, or information submitted to the Regional Water Board, State Water Board, and/or USEPA shall be signed and certified in accordance with Standard Provisions – Reporting V.B.2, V.B.3, V.B.4, and V.B.5 below [40 CFR § 122.41(k)].
2. All permit applications shall be signed as follows:
  - a. For a corporation: By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary

systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures [40 CFR § 122.22(a)(1)];

- b. For a partnership or sole proprietorship: By a general partner or the proprietor, respectively [40 CFR § 122.22(a)(2)]; or
  - c. For a municipality, State, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a federal agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of USEPA) [40 CFR § 122.22(a)(3)].
3. All reports required by this Order and other information requested by the Regional Water Board, State Water Board, or USEPA shall be signed by a person described in Standard Provisions – Reporting V.B.2 above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
    - a. The authorization is made in writing by a person described in Standard Provisions – Reporting V.B.2 above [40 CFR § 122.22(b)(1)];
    - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company (a duly authorized representative may thus be either a named individual or any individual occupying a named position) [40 CFR § 122.22(b)(2)]; and
    - c. The written authorization is submitted to the Regional Water Board, State Water Board, or USEPA [40 CFR § 122.22(b)(3)].
  4. If an authorization under Standard Provisions – Reporting V.B.3 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Standard Provisions – Reporting V.B.3 above must be submitted to the Regional Water Board, State Water Board or USEPA prior to or together with any reports, information, or applications, to be signed by an authorized representative [40 CFR § 122.22(c)].
  5. Any person signing a document under Standard Provisions – Reporting V.B.2 or V.B.3 above shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations” [40 CFR § 122.22(d)].

#### C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program in this Order [40 CFR § 122.41(l)(4)].
2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) or forms provided or specified by the Regional Water Board or State Water Board for reporting results of monitoring of sludge use or disposal practices [40 CFR § 122.41(l)(4)(i)].
3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under 40 CFR Part 136, or another method required for an industry-specific waste stream under 40 CFR subchapters N or O, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Regional Water Board [40 CFR § 122.41(l)(4)(ii)].
4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order [40 CFR § 122.41(l)(4)(iii)].

#### D. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date [40 CFR § 122.41(l)(5)].

#### E. Twenty-Four Hour Reporting

1. The Discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance [40 CFR § 122.41(l)(6)(i)].
2. The following shall be included as information that must be reported within 24 hours under this paragraph [40 CFR § 122.41(l)(6)(ii)]:
  - a. Any unanticipated bypass that exceeds any effluent limitation in this Order [40 CFR § 122.41(l)(6)(ii)(A)].
  - b. Any upset that exceeds any effluent limitation in this Order [40 CFR § 122.41(l)(6)(ii)(B)].
  - c. Violation of a maximum daily discharge limitation for any of the pollutants listed in this Order to be reported within 24 hours [40 CFR § 122.41(l)(6)(ii)(C)].
3. The Regional Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours [40 CFR § 122.41(l)(6)(iii)].

#### F. Planned Changes

The Discharger shall give notice to the Regional Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when [40 CFR § 122.41(l)(1)]:

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR § 122.29(b) [40 CFR § 122.41(l)(1)(i)]; or
2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in this Order, nor to notification requirements under 40 CFR § 122.42(a)(1) (see Additional Provisions—Notification Levels VII.A.1) [40 CFR § 122.41(l)(1)(ii)].
3. The alteration or addition results in a significant change in the Discharger's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan [40 CFR § 122.41(l)(1)(iii)].

#### G. Anticipated Noncompliance

The Discharger shall give advance notice to the Regional Water Board or State Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with the requirements of this Order [40 CFR § 122.41(l)(2)].

#### H. Other Noncompliance

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting V.E.3, V.E.4, and V.E.5 above at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E above [40 CFR § 122.41(l)(7)].

#### I. Other Information

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Regional Water Board, State Water Board, or USEPA, the Discharger shall promptly submit such facts or information [40 CFR § 122.41(l)(8)].

## VI. STANDARD PROVISIONS – ENFORCEMENT

- A. The Regional Water Board and State Water Board is authorized to enforce the terms of this Order under several provisions of the CWC, including, but not limited to, sections 13268, 13385, 13386, and 13387.
- B. The CWA provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the CWA, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the CWA, is subject to a civil penalty not to exceed \$25,000 per day for each violation. The CWA provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the CWA, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the CWA, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the CWA, is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment of not more than one (1) year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation, or by imprisonment of not more than two (2) years, or both. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than three (3) years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than six (6) years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the CWA, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the CWA, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions [*40 CFR § 122.41(a)(2); CWC §§ 13385 and 13387*].
- C. Any person may be assessed an administrative penalty by the Regional Water Board for violating section 301, 302, 306, 307, 308, 318 or 405 of the CWA, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the CWA. Administrative penalties for Class I violations are not to exceed \$10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$25,000. Penalties for Class II violations are not to exceed \$10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$125,000 [*40 CFR § 122.41(a)(3)*].

## VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

- A. Non-Municipal Facilities

Existing manufacturing, commercial, mining, and silvicultural dischargers shall notify the Regional Water Board as soon as they know or have reason to believe [40 CFR § 122.42(a)]:

1. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" [40 CFR § 122.42(a)(1)]:
  - a. 100 micrograms per liter ( $\mu\text{g/L}$ ) [40 CFR § 122.42(a)(1)(i)];
  - b. 200  $\mu\text{g/L}$  for acrolein and acrylonitrile; 500  $\mu\text{g/L}$  for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol; and 1 milligram per liter ( $\text{mg/L}$ ) for antimony [40 CFR § 122.42(a)(1)(ii)];
  - c. Five (5) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge [40 CFR § 122.42(a)(1)(iii)]; or
  - d. The level established by the Regional Water Board in accordance with 40 CFR § 122.44(f) [40 CFR § 122.42(a)(1)(iv)].
2. That any activity has occurred or will occur that would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" [40 CFR § 122.42(a)(2)]:
  - a. 500 micrograms per liter ( $\mu\text{g/L}$ ) [40 CFR § 122.42(a)(2)(i)];
  - b. 1 milligram per liter ( $\text{mg/L}$ ) for antimony [40 CFR § 122.42(a)(2)(ii)];
  - c. Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge [40 CFR § 122.42(a)(2)(iii)]; or
  - d. The level established by the Regional Water Board in accordance with 40 CFR § 122.44(f) [40 CFR § 122.42(a)(2)(iv)].

B. Publicly-Owned Treatment Works (POTWs)

All POTWs shall provide adequate notice to the Regional Water Board of the following [40 CFR § 122.42(b)]:

1. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to sections 301 or 306 of the CWA if it were directly discharging those pollutants [40 CFR § 122.42(b)(1)]; and
2. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of adoption of the Order [40 CFR § 122.42(b)(2)].

Adequate notice shall include information on the quality and quantity of effluent introduced into the POTW as well as any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW [40 CFR § 122.42(b)(3)].

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## ATTACHMENT F – FACT SHEET

The Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

### I. PERMIT INFORMATION

**A. Background.** The State Water Resources Control Board (State Water Board) has been authorized by the USEPA, pursuant to Section 402 of the CWA, to administer the NPDES program in California since 1973. The procedures for the State Water Board and the Regional Water Board to issue NPDES permits pursuant to NPDES regulations at Parts 122 and 123, title 40 of the Code of Federal Regulations (40 CFR), were established through the NPDES Memorandum of Agreement between the USEPA and the State Water Board on September 22, 1989.

40 CFR section 122.28 provides for issuance of General NPDES permits to regulate a category of point sources if the sources: a) involve the same or substantially similar types of operations; b) discharge the same type of waste; c) require the same type of effluent limitations or operating conditions; d) require similar monitoring; and e) are more appropriately regulated under a general permit rather than individual permits. General NPDES permits enable Regional Water Board staff to expedite the processing of requirements, simplify the application process for Dischargers, better utilize limited staff resources, and avoid the expense and time involved in repetitive public noticing, hearings, and permit adoptions.

Section 13263, subdivision (i) of the California Water Code provides that a Regional Board may prescribe waste discharge requirements for discharges produced by similar operations, involving similar types of wastes, and requiring similar treatment standards.

This Order is formatted consistent with the State Water Board NPDES permit template. In addition, this Order requires filing of a Notice of Intent for all dischargers under this General Permit to streamline the permit application process.

### II. DISCHARGE DESCRIPTION

#### A. Description of Facility

Past industrial activities in the San Gabriel Valley have resulted in widespread groundwater contamination with toxic pollutants. The WQA has requested Regional Water Board to develop a General NPDES permit to cover discharges of groundwater during groundwater cleanup operations. In an effort to cleanup contaminated groundwater, many groundwater extraction wells and water treatment systems have been constructed within the San Gabriel River Groundwater Basin. Many of those projects are part of one of the six active operable units established by EPA as part of the San Gabriel Valley Superfund sites.

#### B. Potential Discharges In the Next 24 to 60 Months

WQA has identified potential short term groundwater discharge projects listed in the following Table within the San Gabriel Groundwater Basin. The list of projects and the type of activities associated with cleanup operations, the groundwater treatment technologies employed, and the volume of discharges at these projects sites are tabulated. Discharges resulting from cleanup operations are not limited to these identified project sites. Future discharges from similar cleanup projects within the San Gabriel Basin may also be covered under this General permit. High volume discharges from the wells and the treatment plants are necessary to successfully test the well production capacity and the performance of the

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treatment plants before being commissioned for public water supply per requirements of CDPH. Coverage of the discharges described below by this general permit is conditioned upon satisfaction of the terms and conditions in this Order, including submission of a NOI.

**Table 1**

Discharger	Facility	Activity	Flow Rate (gallons/minute)	Discharge Duration	Total Daily Flow Volume (Gallons)
Valley County Water District	Lante Treatment Facility	Startup testing of Ion Exchange System for treatment of perchlorate and nitrate to satisfy CDPH requirements.	7,800	Minimum: 5 days. Maximum: 30 days	11,232,000
		Optimization testing of the Ultra Violet treatment system for treatment of NDMA and 1,4-Dioxane.	7,800	Minimum: 5 days. Maximum: 30 days	11,232,000
	Arrow Well	Well rehabilitation/New well development	3,000	Minimum: 5 days. Maximum: 30 days	4,320,000
City of El Monte	Well 14	Well development	360	Minimum: 5 days. Maximum: 30 days	518,400
	Well 15	Well development	117	Minimum: 5 days. Maximum: 30 days	168,480
	Well 16	Well development	123	Minimum: 5 days. Maximum: 30 days	177,120
	Treatment Facility for Well 14, 15, & 16	Startup testing of Granular Activated Carbon Treatment Facility to treat VOCs per CDPH requirements	600	Minimum: 5 days. Maximum: 30 days	864,000

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Discharger	Facility	Activity	Flow Rate (gallons/minute)	Discharge Duration	Total Daily Flow Volume (Gallons)
San Gabriel Valley Water Company	Plant B6	Startup testing of Ion Exchange System for treatment of nitrate to satisfy CDPH requirements.	7,800	Minimum: 5 days. Maximum: 30 days	11,232,000
	Well 11D	Well development	1,200	Minimum: 5 days. Maximum: 30 days	1,728,000
	Well 1F	Well development	1,700	Minimum: 5 days. Maximum: 30 days	2,448,000
Golden State Water Company	Garvey Well 3 Treatment Facility	Well development	1,000	Minimum: 5 days. Maximum: 30 days	1,440,000
California American Water Company	Richardson Well 3	Well development	1,500	Minimum: 5 days. Maximum: 30 days	2,160,000
Covina Irrigating Company	Baldwin Park Treatment Facility	Startup testing of treatment facility for VOCs	6,600	Minimum: 5 days. Maximum: 30 days	9,504,000
PVOU Intermediate Zone	Treatment Facility	Startup testing of treatment facility for VOCs, 1,4-Dioxane, Perchlorate	1,500	Minimum: 5 days. Maximum: 30 days	2,160,000
PVOU Shallow Zone	Treatment Facility	Startup testing of treatment facility for VOCs	1,200-1,400	Minimum: 5 days. Maximum: 30 days	1,728,000 – 2,016,000
City of Monterey Park	Well 6	Well Rehabilitation	600	Minimum: 5 days. Maximum: 30 days	864,000
	Treatment Facility for wells 5 and 6	Startup testing of treatment facility for VOCs	2,900	Minimum: 5 days. Maximum: 30 days	4,176,000

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- C. The discharge description including the discharge flow rate, total daily discharge flow volume, time required to infiltrate to groundwater aquifer, infiltration zone length, distance to concrete lined channel and amount of treated water delivered to potable use are shown in the Table 2 Attachment.

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DISCHARGES OF GROUNDWATER FROM UPPER SAN GABRIEL RIVER AND RIO HONDO WATERSHEDS TO SURFACE WATERS

ORDER NO. R4-2014-00XX  
NPDES NO. CAG994006

DISCHARGES FROM MAIN BASIN TO SURFACE WATERS

Discharger	Facility	Plate	Activity	Flow Rate (gpm)	Flow Rate (cfs)	Total Daily Discharge (mgd)	Maximum Daily Infiltration Rate (in/hr)	Time required to infiltrate (days)	Infiltration Location	Infiltration Zone length (ft)	Distance in Lined Channel (ft)	Water Quality	Type of Project	Estes Treated Water Delivered to Customers (Mg)
Valley County Water District	Lark Treatment Facility	1(a)	Startup testing of Ion Exchange System	7,800	17.33	11,232,000	12,960,000	0.87	Valley Blvd Dam	7,000	16,000	treated	CERCLA	8,000
			Optimization testing of the Ultra Filtration system	7,800	17.33	11,232,000	12,960,000	0.87	Valley Blvd Dam	7,000	16,000	treated	CERCLA	
		1(b)	Well rehab for new well development	3,000	6.67	4,320,000	12,960,000	0.33	Valley Blvd Dam	7,000	16,000	untreated	CERCLA	
City of El Monte	Well 14	1(c)	Well development	360	0.80	518,400	4,536,000	0.11	Rio Hondo @Garvey and 60	7,000	9,000	untreated	CERCLA	
	Well 15	1(d)	Well development	117	0.26	168,480	4,536,000	0.04	Rio Hondo @Garvey and 60	7,000	9,000	untreated	CERCLA	
	Well 16	1(e)	Well development	123	0.27	177,120	4,536,000	0.04	Rio Hondo @Garvey and 60	7,000	9,000	untreated	CERCLA	
San Gabriel Valley Water Company	Treatment Facility for Well 14, 15 & 16	1(f)	Activated Carbon Treatment Facility	600	1.33	864,000	4,536,000	0.19	Rio Hondo @Garvey and 60	7,000	10,000	treated	CERCLA	970
	Plant 86	1(g)	Startup testing of Ion Exchange System	7,800	17.33	11,232,000	12,960,000	0.87	Valley Blvd Dam	7,000	7,000	treated	CERCLA	10,000
	Well 11D	1(h)	Well development	1,200	2.67	1,728,000	4,536,000	0.38	San Gabriel River RD 1	2,000	0	untreated		1,900
Golden State Water Co	Well 1F	1(i)	Well development	1,700	3.78	2,448,000	4,536,000	0.54	Rio Hondo @Garvey and 60	7,000	10,000	untreated		2,700
	Garvey Well 3	1(j)	Well development	1,000	2.22	1,440,000	4,536,000	0.32	Rio Hondo @Garvey and 60	2,000	8,000	untreated		
	Garvey Well 3 Treatment Facility	1(k)	Startup testing of treatment facility for VOCs and Perchlorate	1,600	2.22	2,400,000	4,536,000	0.32	Rio Hondo @Garvey and 60	2,000	8,000	treated		1,600
California American Water Company	Richardson Well 3	1(l)	Well development	1,500	3.33	2,160,000	4,536,000	0.46	Rio Hondo @Garvey and 60	7,000	13,000	untreated		2,400
	Baldwin Park Treatment Facility	1(m)	Startup testing of treatment facility for VOC's	6,600	14.67	9,504,000	12,960,000	0.73	Valley Blvd Dam	7,000	17,000	treated		8,500
	PVOU Intermediate Zone		Startup testing of treatment facility for VOC's, 1,4-Dioxane, and Perchlorate	1,500	3.33	2,160,000	0	---	none	not applicable	net applicable	treated	CERCLA	2,400
City of Monterey Park	PVOU Shallow Zone		Startup testing of treatment facility for VOC's	1,400	3.11	2,016,000	0	---	none	not applicable	net applicable	treated	CERCLA	
	Well 6	1(n)	well rehab	600	1.33	864,000	4,536,000	0.15	Rio Hondo @Garvey and 60	2,000	6,000	untreated		
	Treatment Facility for wells 3 and 6	1(o)	Startup testing of treatment facility for VOC's	2,900	6.44	4,176,000	4,536,000	0.92	Rio Hondo @Garvey and 60	2,000	6,000	treated	CERCLA	4,700
													<b>Total</b>	<b>43,170</b>

1/Infiltration rate is a measure of the rate at which discharged water can flow back into the groundwater basin. The maximum infiltration rate, assuming the discharge covers the entire channel, is shown.

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T E N T A T I V E I D E M I S I V E R

**D. Discharge Points and Receiving Waters**

Under the General Permit, there may be multiple discharge points. Information regarding the discharge points and applicable receiving waters can be found in the completed NOI and will be included in the enrollment letter, Fact Sheet and Monitoring and Reporting Program.

**E. Summary of Existing Requirements and Self Monitoring Reporting (SMR) Data**

**(Not Applicable)**

**F. Compliance Summary (Not Applicable)**

**G. Planned Changes (Not Applicable)**

**III. NOTIFICATION REQUIREMENTS**

To obtain coverage under this General Permit, the Discharger must submit a Notice of Intent (NOI) Form and pay a filing fee. An NOI Form must be signed to be valid. Signing the certification on the NOI Form signifies that the Discharger intends to comply with the provisions of this General Permit.

**A. General Permit Application**

To be authorized to discharge under this Order, the Discharger must apply for coverage under this Order by submitting to the Regional Water Board a NOI.

**1. Notice of Intent**

- a. Dischargers seeking coverage under this General Permit shall submit to the Executive Officer a complete NOI, including all information required by the NOI. The NOI is incorporated as Attachment C to this Order.
- b. The Discharger must obtain and analyze (using appropriate sampling and laboratory methods) a representative sample(s) of the untreated groundwater to be discharged under this Order. The analytical method(s) used shall be capable of achieving a detection limit at or below the minimum level<sup>1</sup>, otherwise, a written explanation shall be provided. The analytical results shall be submitted with the NOI. The data shall be tabulated and shall include the results for every constituent listed on Attachment G.
- c. The NOI for a new discharge shall be accompanied by an enrollment fee in accordance with the section 2200 (*Annual Fee Schedules*) of Title 23 of the California Code of Regulations. The check or money order shall be made payable to the "State Water Resources Control Board".
- d. Upon request, the Discharger shall submit any additional information that the Executive Officer deems necessary to determine whether the discharge meets the criteria for coverage under this Order, or to prescribe an appropriate monitoring and reporting program, or both.

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<sup>1</sup> The minimum levels are those published by the State Water Quality Control Board in the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*, 2005. See attached Appendix A.

**1. Deadline for Submission**

Dischargers shall file a complete NOI Form at least 45 days before commencement of the discharge.

**2. Failure to Submit a NOI FORM**

Existing Dischargers who fail to submit a complete NOI Form by the deadline established herein may be subject to an enforcement action, including assessment of administrative or judicial penalties, as allowed pursuant to applicable provisions of the Clean Water Act and the California Water Code including section 13261 thereof.

**3. Authorization of Coverage**

Upon receipt of the complete NOI, the Executive Officer shall determine the applicability of this Order to such a discharge. If the discharge is eligible, the Executive Officer shall notify the Discharger that the discharge is authorized under the terms and conditions of this Order and prescribe an appropriate monitoring and reporting program. For new discharges, the discharge shall not commence until receipt of the Executive Officer's written determination of eligibility for coverage under this General Permit. The Executive Officer may require a Discharger to comply with the conditions of this General Permit even if the Discharger has not submitted an NOI Form to be covered by this General Permit, as specified in Section II. A. d. of this Order.

**4. Notice of Start-Up**

New Dischargers shall notify the Regional Water Board staff and applicable MS4 owners of the time and date for commencement of the discharge(s) authorized under this General Permit at least seven days prior to initiating a discharge.

**IV. ELIGIBILITY REQUIREMENTS**

**A. Eligibility**

To be covered under this Order, a discharger must demonstrate that:

- a. The Discharger will be able to comply with the terms or provisions of this General Permit.
- b. The discharge is limited to groundwater remediation activities that will result in potable use in the San Gabriel Valley Watersheds including Rio Hondo and San Gabriel River.
- c. The discharge ~~activity is a one-time event occurring during well startup operations (such as well development and redevelopment) and discharges from monitoring wells, and/or groundwater treatment plant startup operations including maintenance/rehabilitation of the treatment facilities conducted to satisfy California Department of Public Health (CDPH) requirements as defined by Standard Provision A.2.b.~~
- d. Provisions will be made to limit the discharges to dry reaches of the San Gabriel River or Rio Hondo and where the discharge will percolate to groundwater.
- e. Facilities/Best Management Practices will be deployed if necessary to prevent commingling with downstream river water.

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~~f. Provisions will be employed to limit commingling of the untreated groundwater with any urban runoff present in the lined Flood Control Channels tributary to San Gabriel River.~~

~~f. Provisions will be employed to limit commingling of the untreated groundwater with any storm water flow present in the lined Flood Control Channels tributary to San Gabriel River.~~ Discharges shall be managed to limit commingling of the untreated groundwater with any urban runoff present in the lined flood control channels tributary to San Gabriel River.

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**B. Ineligibility**

The discharge of groundwater from groundwater management activities located outside the San Gabriel Valley Watersheds including Rio Hondo and San Gabriel River or unrelated to the treatment or management of groundwater for potable use are not eligible for enrollment under this General Permit.

**V. EXCLUSION OF COVERAGE**

**1. Termination of Discharge**

Dischargers shall submit a Notice of Termination (NOT) when coverage under this General Permit is no longer needed. An NOT contains the Waste Discharge Identification Number (WDID), the name and address of the owner of the facility, and is signed and dated by the owner certifying that the discharge associated with the authorized permit enrollment has stopped. Upon submission, the Discharger is no longer authorized to discharge wastewater associated with this General Permit.

**2. Transferring Ownership**

Coverage under this Order may be transferred in case of change of ownership of land or discharge facility provided the existing discharger submits NPDES Permit Transfer Request Form and notifies the Executive Officer at least 30 days before the proposed transfer date, and the notice includes a written agreement between the existing and new dischargers containing a specific date of transfer of coverage, responsibility for compliance with this Order, and liability between them.

**VI. BASIS FOR FEE**

Section 2200 (Annual Fee Schedule ) of Title 23 of the California Code of Regulations (CCR) requires that all discharges subject to waste discharge requirements shall pay an annual fee.

**VII. DISCHARGE DESCRIPTION**

Dischargers enrolling under this General Permit are required to collect representative wastewater sample(s) and analyze these samples for all the constituents listed in the Effluent Limitations Table, and any other constituent expected in the discharge.

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**VIII. APPLICABLE PLANS, POLICIES AND REGULATIONS**

The requirements contained in the tentative Order are based on the requirements and authorities described in this section.

**A. Legal Authorities**

This Order is issued pursuant to section 402 of the CWA and implementing regulations adopted by the USEPA and Chapter 5.5, Division 7 of the California Water Code (CWC) (commencing with section 13370). It shall serve as a National Pollutant Discharge Elimination System (NPDES) permit for point source discharges of wastewaters to surface waters under the jurisdiction of the California Water Quality Control Board-Los Angeles Regional (Regional Water Board). This Order also serves as Waste Discharge Requirements (WDRs) pursuant to Article 4, Chapter 4 of the CWC (commencing with section 13260).

States may request authority to issue general NPDES permits pursuant to 40 CFR section 122.28. The State Water Board has been authorized by the USEPA to administer the NPDES program in California since 1973. The procedures for the State Water Board and the Regional Water Board to issue NPDES permits pursuant to 40 CFR Parts 122 and 123 were established through the NPDES Memorandum of Agreement between the USEPA and the State Water Board on September 22, 1989.

**B. California Environmental Quality Act (CEQA)**

Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of the California Environmental Quality Act (CEQA), Public Resources Code division 13, chapter 3 (commencing with § 21100). An exception from the State Implementation Policy requires compliance with CEQA, because this Order allows exceptions from meeting priority pollutant objectives. The Discharger has complied with CEQA by preparing and adopting an Initial Study and Mitigated Negative Declaration.

**C. State and Federal Regulations, Policies, and Plans**

1. **Water Quality-Based Effluent Limitations.** Section 301(b) of the CWA and 40 CFR section 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards. 40 CFR section 122.44(d)(1)(i) mandates that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a surface water quality standard, including numeric and narrative objectives or criteria within a standard.
2. **Water Quality Control Plans.** The Regional Water Board has adopted a revised basin plan, *Water Quality Control Plan, Los Angeles Region: Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Section 2. (Beneficial Uses) of the Basin Plan states that the beneficial uses of any specifically identified water body generally apply to its tributary streams. In addition, the Basin Plan implements State Water Resources Control Board (State Water Board) Resolution No. 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply.
3. **Receiving Water Beneficial Uses.** The Basin Plan lists the designated beneficial uses of, specific water bodies (receiving waters) in the Los Angeles Region. Typical beneficial uses covered by this Order include the following:
  - a. Inland surface waters above an estuary - municipal and domestic supply, industrial service and process supply, agricultural supply, groundwater recharge, freshwater

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replenishment, aquaculture, warm and cold freshwater habitats, inland saline water and wildlife habitats, water contact and noncontact recreation, fish migration, and fish spawning.

- b. Inland surface waters within and below an estuary - industrial service supply, marine and wetland habitats, estuarine and wildlife habitats, water contact and noncontact recreation, commercial and sport fishing, aquaculture, migration of aquatic organisms, fish migration, fish spawning, preservation of rare and endangered species, preservation of biological habitats, and shellfish harvesting.
  - c. Coastal Zones (both nearshore and offshore) - industrial service supply, navigation, water contact and noncontact recreation, commercial and sport fishing, marine habitat, wildlife habitat, fish migration and spawning, shellfish harvesting, and rare, threatened, or endangered species habitat.
4. **Groundwater.** Groundwater discharges from the well start-up and treatment system operations will be re-infiltrated back into the same groundwater basin. Therefore, the groundwater quality of the aquifer is not expected to be impacted by the recharge operations as no new pollutants will be introduced into the groundwater, ~~therefore, receiving water limitations are not applicable.~~
5. **Thermal Plan.** The State Water Board adopted a Water quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California (Thermal Plan) on May 18, 1972, and amended this plan on September 18, 1975. This plan contains temperature objectives for surface waters.
6. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** USEPA adopted the NTR on December 22, 1992, and later amended it on May 4, 1995 and November 9, 1999. About forty criteria in the NTR applied in California. On May 18, 2000, USEPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the state. The CTR was amended on February 13, 2001. These rules contain water quality criteria for priority pollutants.
7. **State Implementation Policy.** On March 2, 2000, the State Water Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP). The SIP became effective on April 28, 2000 with respect to the priority pollutant criteria promulgated for California by the USEPA through the NTR and to the priority pollutant objectives established by the Regional Water Board in the Basin Plan. The SIP became effective on May 18, 2000 with respect to the priority pollutant criteria promulgated by the USEPA through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005 that became effective on July 13, 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control.

In compliance with the CEQA and with the concurrence of the U.S. EPA, an exception to priority pollutant criteria/objectives is granted for the short-term discharges resulting from San Gabriel Groundwater Basin cleanup operations covered by this General Permit. The exception applies to well start-up discharges and the discharges resulting from testing of groundwater treatment plants installed within the Basin. These discharges are necessary to implement control measures for the treatment of drinking water necessary to fulfill statutory requirements under the federal safe Drinking Water Act and the

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California Health and Safety Code and to implement the cleanup plans adopted by USEPA under CERCLA. The restoration of the San Gabriel groundwater aquifer will serve the public interest while protecting a scarce water source in Southern California.

8. **Endangered Species Act.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act.
9. **Alaska Rule.** On March 30, 2000, USEPA revised its regulation that specifies when new and revised state and tribal water quality standards (WQS) become effective for CWA purposes. (40 CFR section 131.21; 65 Fed. Reg. 24641 (April 27, 2000).) Under the revised regulation (also known as the Alaska Rule), new and revised standards submitted to USEPA after May 30, 2000, must be approved by USEPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by May 30, 2000 may be used for CWA purposes, whether or not approved by USEPA.
10. **Stringency of Requirements for Individual Pollutants.** This Order contains both technology-based and water quality-based effluent limitations for individual pollutants that are no more stringent than required by CWA. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. Water quality-based effluent limitations have been scientifically derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. All beneficial uses and water quality objectives contained in the Basin Plan were approved under state law and submitted to and approved by USEPA prior to May 30, 2000.
11. **Antidegradation Policy.** 40 CFR section 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements, and incorporates by reference, both the state and federal antidegradation policies. As discussed in more detail later in this Fact Sheet, the permitted discharge is consistent with the antidegradation provision of 40 CFR section 131.12 and State Water Board Resolution No. 68-16.
12. **Clean, Affordable, and Accessible Water.** It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. (Cal. Wat. Code § 106.3). This Order promotes that policy by allowing for start-up operations of wells and water treatment systems that will provide treatment of groundwater to drinking water standards.
13. **Monitoring and Reporting.** 40 CFR section 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. California Water Code sections 13267 and 13383 authorize the Regional Water Board to require

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technical and monitoring reports. The Monitoring and Reporting Program establishes monitoring and reporting requirements to implement federal and State requirements. A monitoring and reporting program (MRP) is tailored to each Discharger's individual situation and is provided with the General Permit coverage authorization letter signed by the Executive Officer of the Regional Water Board.

- 14. **Consideration of Public Comment.** The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the prospective discharges authorized by this Order. Details of the Public Hearing are provided later in this Fact Sheet.

**D. Other Plans, Policies and Regulations (Not Applicable)**

**IX. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS**

The CWA requires point source dischargers to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. There are two principal bases for effluent limitations in the Code of Federal Regulations: 40 CFR section 122.44(a) requires that permits include applicable technology-based limitations and standards; and 40 CFR section 122.44(d) requires that permits include water quality-based effluent limitations to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water.

**A. Discharge Prohibitions**

To prevent toxicity to aquatic organisms in the Upper San Gabriel River and Rio Hondo River, the discharges covered by this General Permit shall only occur during the dry periods.

**B. Technology-Based Effluent Limitations**

**1. Scope and Authority**

Section 301(b) of the CWA and implementing USEPA permit regulations at 40 CFR section 122.44 require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The discharge authorized by this Order must meet minimum federal technology-based requirements based on Secondary Treatment Standards at 40 CFR part 133, Effluent Limitations Guidelines and Standards for the applicable categories in 40 CFR, and/or Best Professional Judgment (BPJ) in accordance with 40 CFR section 125.3.

**2. Applicable Technology-Based Effluent Limitations**

The CWA requires that technology-based effluent limitations be established based on several levels of controls:

- a. Best Practicable Treatment Control Technology (BPT) represents the average of the best performance by plants within an industrial category or subcategory. BPT standards apply to toxic, conventional, and nonconventional pollutants.
- b. Best Available Technology Economically Achievable (BAT) represents the best existing performance of treatment technologies that are economically achievable within an industrial point source category. BAT standards apply to toxic and nonconventional pollutants.

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- c. Best Conventional Pollutant Control Technology (BCT) represents the control from existing industrial point sources of conventional pollutants including BOD, TSS, fecal coliform, pH, and oil and grease. The BCT standard is established after considering the "cost reasonableness" of the relationship between the cost of attaining a reduction in effluent discharge and the benefits that would result, and also the cost effectiveness of additional industrial treatment beyond BPI.
- d. New Source Performance Standards (NSPS) represent the best available demonstrated control technology standards. The intent of NSPS guidelines is to set limitations that represent state-of-the-art treatment technology for new sources.

The CWA requires USEPA to develop Effluent Limitations, Guidelines and Standards (ELGs) representing application of BPT, BAT, BCT, and NSPS. Section 402(a)(1) of the CWA and 40 CFR section 125.3 of the NPDES regulations authorize the use of Best Professional Judgment (BPJ) to derive technology-based effluent limitations on a case-by-case basis where ELGs are not available for certain industrial categories and/or pollutants of concern. Where BPJ is used, the permit writer must consider specific factors outlined in 40 CFR section 125.3.

NPDES permits for discharges to surface waters must meet all applicable provisions of sections 301 and 402 of the CWA. These provisions require controls of pollutant discharges that utilize BAT and BCT to reduce pollutant and any more stringent controls necessary to meet water quality standards.

### C. Water Quality-Based Effluent Limitations (WQBELs)

#### 1. Scope and Authority

Section 301(b) of the CWA and 40 CFR section 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

40 CFR section 122.44(d)(1)(i) requires that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, water quality-based effluent limitations (WQBELs) must be established using: (1) USEPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information, as provided in 40 CFR section 122.44(d)(1)(vi).

The process for determining reasonable potential and calculating WQBELs when necessary is intended to protect the designated uses of the receiving water as specified in the Basin Plan, and achieve applicable water quality objectives and criteria that are contained in other state plans and policies, or any applicable water quality criteria contained in the CTR and NTR.

#### 2. Applicable Beneficial Uses and Water Quality Criteria and Objectives

Typical beneficial uses covered by this Order include the following:

- a. Inland surface waters above an estuary - municipal and domestic supply, industrial service and process supply, agricultural supply, groundwater recharge, freshwater

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replenishment, aquaculture, warm and cold freshwater habitats, inland saline water and wildlife habitats, water contact and noncontact recreation, fish migration, and fish spawning.

- b. Inland surface waters within and below an estuary - industrial service supply, marine and wetland habitats, estuarine and wildlife habitats, water contact and noncontact recreation, commercial and sport fishing, aquaculture, migration of aquatic organisms, fish migration, fish spawning, preservation of rare and endangered species, preservation of biological habitats, and shellfish harvesting.
- c. Coastal Zones (both nearshore and offshore) - industrial service supply, navigation, water contact and noncontact recreation, commercial and sport fishing, marine habitat, wildlife habitat, fish migration and spawning, shellfish harvesting, and rare, threatened, or endangered species habitat.

**3. Determining the Need for WQBELs**

In accordance with Section 1.3 of the SIP, the Regional Water Board conducts Reasonable Potential Analysis (RPA) for each priority pollutant with an applicable criterion or objective to determine if a WQBEL is required in the permit. Water quality data from representative sample(s) are compared with the corresponding values in Screening Levels for General Permits. The constituent(s) with a value exceeding the screening level is considered to have a reasonable potential to exceed water quality criterion or objective and the corresponding WQBELs are prescribed in the enrollment of the discharge. However, this General permit grants an exception to the SIP/CTR requirements and does not prescribe effluent limitations for priority toxic pollutants.

The Basin Plan states that the pH of inland surface waters shall not be depressed below 6.5 or raised above 8.5 as a result of waste discharge. Based on the requirements of the Basin Plan an instantaneous minimum limitation of 6.5 and an instantaneous maximum limitation of 8.5 for pH are included in the tentative permit. The Basin Plan lists temperature requirements for the receiving waters and references the Thermal Plan. Based on the requirements of the Thermal Plan and a white paper developed by Regional Water Board staff entitled *Temperature and Dissolved Oxygen Impacts on Biota in Tidal Estuaries and Enclosed Bays in the Los Angeles Region*, a maximum effluent temperature limitation of 86 °F is included in the tentative Order. The white paper evaluated the optimum temperatures for steelhead, topmelt, ghost shrimp, brown rock crab, jackknife clam and blue mussel. The new temperature effluent limitation is reflective of new information available that indicates that the 100°F temperature is not protective of aquatic organisms. A survey was completed for several species of fish and the 86°F temperature was found to be protective.

**4. Whole Effluent Toxicity (WET)**

Because of the intermittent nature of the discharge to the recharge basin, it is not expected to contribute to long-term toxic effects within the surface water; therefore, the Discharger will not be required to conduct chronic toxicity testing.

**5. Impact to Water Quality**

Groundwater discharges to the same basin from where the groundwater is extracted would not add pollutants. Discharges covered by the accompanying order require implementation of BMPs to minimize the impact to water quality. After the treatment systems are installed and operable, pollutants in the discharge will be removed and the treated water is supplied to the potable water use.

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**6. Specific Rationales for Each of the Numerical Effluent Limitations**

~~See Table 3, below, for rationales for each of the numerical effluent limitations. The discharges regulated under this General Permit have the potential to recharge ground waters protected as drinking waters. The Basin Plan requires these ground waters to be protected to Title 22 requirements, and incorporates both the Federal and State anti-degradation policies. Primary standards are standards that protect public health by limiting the levels of contaminants in drinking water. Secondary standards are guidelines regulating contaminants that may cause aesthetic effects (such as taste, odor, or color) in drinking water. For surface waters with the beneficial use of municipal and domestic supply, it is also appropriate to limit discharges into these sources of drinking water to MCL. To protect the most restrictive water quality objective, this General Permit includes limit for methylene blue active substances (MBAS) of 0.5 mg/L consistent with the existing permits. This limit is applicable to surface waters and groundwaters that have MUN designation because the discharges regulated under this General Permit have the potential to recharge ground waters protected as drinking waters.~~

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**D. Final Effluent Limitation Considerations**

**1. Antidegradation Policies**

The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements, and incorporates by reference, both the state and federal antidegradation policies. The permitted discharge under this General Permit is consistent with the antidegradation provision of Section 131.12 and State Water Board Resolution No. 68-16.

These discharges will not degrade high quality waters. The discharges are limited to dry weather only, and will not be allowed to comingle with surface waters. The discharges are expected to infiltrate into the ground within approximately 24 hours, and percolate into the groundwater basin. Because the discharge will consist of water removed from the same groundwater basin without addition of waste, the discharge to groundwater will not degrade existing water quality. In most instances, the discharged water will have been treated and will therefore be of higher quality than existing groundwater in the basin.

**2. Stringency of Requirements for Individual Pollutants**

This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. These limitations are not more stringent than required by the CWA. A more stringent daily maximum effluent limitation for Total Suspended Solids has been prescribed in this permit consistent with the minimum applicable federal technology and other NPDES permits.

Water quality-based effluent limitations have been derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that toxic pollutant water quality-based effluent limitations were derived from the CTR, the CTR is the applicable standard pursuant to 40 CFR section 131.38. The procedures for calculating the individual water quality-based effluent limitations for priority pollutants are based on the CTR implemented by the SIP, which was approved by

USEPA on May 18, 2000. Most beneficial uses and water quality objectives contained in the Basin Plan were approved under state law and submitted to and approved by USEPA prior to May 30, 2000. Any water quality objectives and beneficial uses submitted to USEPA prior to May 30, 2000, but not approved by USEPA before that date, are nonetheless “applicable water quality standards for purposes of the CWA” pursuant to 40 CFR section 131.21(c)(1). The remaining water quality objectives and beneficial uses implemented by this Order were approved by USEPA and are applicable water quality standards pursuant to section 131.21(c)(2). Collectively, this Order’s restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA.

3. **Interim Effluent Limitations (Not Applicable)**
4. **Land Discharge Specifications (Not Applicable)**
5. **Recycling Specifications (Not Applicable)**
6. **Summaries of Limitations and Rationales**

Summaries of the final effluent limitations based on technology-based discharge limitations and water quality-based discharge limitations and their rationales are shown in the following tables.

**Table 3. Summaries of Effluent Limitations and Rationales for Freshwater**

Constituent	Units	Effluent Limitations				Basis for Limit
		Maximum Daily		Average Monthly		
		Others	MUN	Others	MUN	
<b>General Constituents</b>						
Total Suspended Solids (TSS)	mg/L	75	75	50	50	For Average Monthly; See the detailed rationale following this table for Maximum Daily Effluent Limitation
Turbidity	NTU	150	150	50	50	<a href="#">Basin Plan narrative translated to numeric objective.40—CFR Part 133</a>
BOD <sub>5</sub> 20°C	mg/L	30	30	20	20	40 CFR Part 133
Oil and Grease	mg/L	15	15	10	10	<a href="#">Basin Plan narrative translated to numeric objective.40—CFR Part 133</a>
Settleable Solids	ml/L	0.3	0.3	0.1	0.1	40 CFR Part 133
Sulfides	mg/L	1.0	1.0			<a href="#">Basin Plan narrative translated to numeric objective.40—CFR Part 133</a>
Residual Chlorine	mg/L	0.1	0.1			Basin Plan
Methylene Blue Active Substances (MBAS)	mg/L	0.5	0.5			<a href="#">Basin Plan.40-CFR Part 133</a>

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**Table 4. ~~WQBELs based on Basin Plan section 7-13 – Los Angeles River and Tributaries Metals TMDL Wasteload Allocations (WLAs), Dry Weather<sup>2</sup>~~**

Reach	Units	Copper, TR		Lead, TR		Zinc, TR		Selenium, TR	
		Max. Daily	Avg. Monthly	Max. Daily	Avg. Monthly	Max. Daily	Avg. Monthly	Max. Daily	Avg. Monthly
Rio Hondo Reach-1	µg/L	21	11	8.2	4.1	210	110	--	--

**Table 5. ~~WQBELs based on Basin Plan section 7-13 – Los Angeles River and Tributaries Metals TMDL WLAs, Wet Weather<sup>3</sup>~~**

Constituents	Units	Effluent Limitations	
		Maximum Daily	Average Monthly
Cadmium, TR <sup>4</sup>	µg/L	3.1	1.5
Copper, TR <sup>4</sup>	µg/L	17	8.5
Lead, TR <sup>4</sup>	µg/L	62	31
Zinc, TR <sup>4</sup>	µg/L	160	79

**Table 6. ~~WQBELs based on Basin Plan section 7-20 - San Gabriel River and Impaired Tributaries Metals and Selenium TMDL WLAs, Dry Weather<sup>5</sup>~~**

Reaches	Units	Copper, TR		Selenium, TR	
		Max. Daily	Avg. Monthly	Max. Daily	Avg. Monthly
SJC R-1, 2 <sup>1</sup>	µg/L	---	---	8.2	4.1
SGR R-1 <sup>2</sup>	µg/L	30	15	---	---

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<sup>2</sup> For purposes of this General Permit, discharges occurring from April 15<sup>th</sup> through November 14<sup>th</sup> are considered dry weather discharges.

<sup>3</sup> For purposes of this General Permit, discharges occurring from November 15<sup>th</sup> through April 14<sup>th</sup> are considered wet weather discharges.

<sup>4</sup> Total Recoverable (TR)

<sup>5</sup> For purposes of this General Permit, discharges occurring from April 15<sup>th</sup> through November 14<sup>th</sup> are considered dry weather discharges.

**Table 7. WQBELs based on Basin Plan section 7-20 - San Gabriel River and Impaired Tributaries Metals and Selenium TMDL WLAs, Wet-Weather<sup>36</sup>**

Reaches	Units	Copper, TR <sup>7</sup>		Lead, TR		Zinc, TR	
		Max. Daily	Avg. Monthly	Max. Daily	Avg. Monthly	Max. Daily	Avg. Monthly
SJC R-1, 2 <sup>1</sup>	µg/L	---	---	---	---	---	---
SGR R-1 <sup>2</sup>	µg/L	---	---	---	---	---	---
SGR R 2 <sup>3</sup>	µg/L	---	---	166	83	---	---

1. San Jose Creek Reach 1 (Confluence to Temple Street) and San Jose Reach 2 (Temple Street to I-10 Freeway at White Avenue)
2. San Gabriel River Reach 1 (Firestone Avenue to Estuary).
3. San Gabriel River Reach 2 (Whittier Narrows to Firestone Avenue), and upstream reaches and tributaries

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**X. RATIONALE FOR RECEIVING WATER LIMITATIONS**

**A. Surface Water**

The Basin Plan contains numeric and narrative water quality objectives applicable to all surface waters within the Los Angeles Region. Water quality objectives include an objective to maintain the high quality waters pursuant to federal regulations (40 CFR § 131.12) and State Water Board Resolution No. 68-16. Receiving water limitations in the tentative Order are included to ensure protection of beneficial uses of the receiving water and are based on the water quality objectives contained in the Basin Plan.

**B. Groundwater**

Groundwater discharges from the well start-up and treatment system operations will be re-infiltrated back into the same groundwater basin. Therefore, the groundwater quality of the aquifer is not expected to be impacted by the recharge operations as no new pollutants are introduced during the recharge, ~~therefore, receiving water limitations are not applicable.~~

**XI. RATIONALE FOR PROVISIONS**

**A. Standard Provisions**

Standard Provisions, which apply to all NPDES permits in accordance with 40 CFR section 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 CFR section 122.42, are provided in Attachment C. The Discharger must comply with all standard provisions and with those additional conditions that are applicable under section 122.42.

<sup>6</sup> For purposes of this General Permit, discharges occurring from November 15<sup>th</sup> through April 14<sup>th</sup> are considered wet weather discharges.

<sup>7</sup> Total Recoverable (TR)

Sections 122.41(a)(1) and (b) through (n) of 40 CFR establish conditions that apply to all state-issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in the Order. Section 123.25(a)(12) of 40 CFR allows the state to omit or modify conditions to impose more stringent requirements. In accordance with 40 CFR section 123.25, this Order omits federal conditions that address enforcement authority specified in 40 CFR sections 122.41(j)(5) and (k)(2) because the enforcement authority under the California Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference California Water Code section 13387(e).

**B. Special Provisions**

**1. Reopener Provisions**

These provisions are based on 40 CFR Part 123 and the previous Order. The Regional Water Board may reopen the permit to modify permit conditions and requirements.

~~This Order may be modified, revoked and reissued, or terminated for cause. Reasons for modification may include new information on the impact of discharges regulated under this Order become available, promulgation of new effluent standards and/or regulations, adoption of new policies and/or water quality objectives, and/or new judicial decisions affecting requirements of this Order.~~

Pursuant to 40 CFR sections 122.62 and 122.63, this Order may be modified, revoked and reissued, or terminated for cause. Reasons for modification may include new information on the impact of discharges regulated under this Order become available, promulgation of new effluent standards and/or regulations, adoption of new policies and/or water quality objectives, and/or new judicial decisions affecting requirements of this Order. In addition, if receiving water quality is threatened due to discharges covered under this General Permit, this General Permit will be reopened to incorporate more stringent effluent limitations for the constituents creating the threat. TMDLs have not been developed for all the parameters and receiving waters on the CWA section 303(d) list. When TMDLs are developed and if applicable this General Permit may be reopened to incorporate appropriate limits. In addition, if TMDL identifies that a particular discharge covered under this General Permit is a load that needs to be reduced; this General Permit will be reopened to incorporate appropriate TMDL based limit and/or to remove any applicable exemptions.

**2. Special Studies and Additional Monitoring Requirements (Not Applicable)**

**3. Best Management Practices and Pollution Prevention**

All Dischargers are required to implement Best Management Practices and Pollution Prevention Plans to minimize pollutant concentrations in the discharge.

**4. Construction, Operation, and Maintenance Specifications (Not Applicable)**

**5. Special Provisions for Municipal Facilities (POTWs Only) (Not Applicable)**

**6. Other Special Provisions (Not Applicable)**

**7. Compliance Schedules (Not Applicable)**

**XII. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS**

Section 122.48 of 40 CFR section requires all NPDES permits to specify recording and reporting of Attachment F-Fact Sheet

**REVISED TENTATIVE**

monitoring results. Sections 13267 and 13383 of the CWC authorize the Regional Water Board to require technical and monitoring reports. The MRP (see sample MRP) establishes monitoring and reporting requirements to implement federal and state requirements. The following provides the rationale for the monitoring and reporting requirements contained in the MRP for this Order.

**A. Influent Monitoring (Not applicable)**

**B. Effluent Monitoring**

Monitoring for pollutants expected to be present in the discharge will be required as established in the tentative MRP.

**C. Whole Effluent Toxicity Testing Requirements**

The Regional Water Board has determined that discharges will not contribute to long-term toxic effects within the receiving water. Therefore, the Discharger will not be required to conduct chronic toxicity testing.

**D. Additional Monitoring**

Groundwater discharges from the well start-up and treatment system operations will be infiltrated back into groundwater basin from which the water was extracted. Therefore, the groundwater quality in the aquifer is not expected to be impacted by recharge operations. The discharges will be impounded at rubber dams while percolating back into the groundwater basin. Impounding the discharges in dry reaches that readily recharge back to the groundwater shall prevent discharges from comingling with surface water in downstream reaches of the San Gabriel River. On a case-by-case basis, upon review of the NOI and at the time of enrolling a discharge under this General Permit, the Executive Officer may require additional monitoring. This monitoring may be satisfied by monitoring for other purposes (e.g., effluent monitoring required by CDPH for start-up testing, existing local well monitoring), if approved by the Executive Officer.

~~1. Surface Water~~

~~Groundwater discharges are impounded at the rubber dams and allowed to percolate back into the groundwater basin. BMPs shall be implemented to prevent discharges overflowing to San Gabriel River. Therefore, receiving water monitoring for surface water is not prescribed.~~

~~Groundwater discharges from the well start-up and treatment system operations are allowed to infiltrate back into groundwater basin. Therefore, the groundwater quality in the aquifer is not impacted by recharge operations as there are no new pollutants are introduced. Therefore, receiving water monitoring for surface water is not prescribed.~~

**Other Monitoring Requirements (Not Applicable)**

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**XIII. PUBLIC PARTICIPATION**

The Regional Water Board has considered the issuance of waste discharge requirements (WDRs) that will serve as a General NPDES permit for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties. As a step in the WDR adoption process, the Regional Water Board staff has developed tentative WDRs. The Regional Water Board encourages public participation in the WDR adoption process.

**A. Notification of Interested Parties**

The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Notification was provided in the Los Angeles Times and Ventura County Star.

The public had access to the agenda and any changes in dates and location through the Regional Water Board's website at: <http://www.waterboards.ca.gov/logangeles>.

**B. Written Comments**

The staff determinations are tentative. Interested persons are invited to submit written comments concerning these tentative WDRs. Comments must be submitted either in person or by mail to the Executive Office at the Regional Water Board at the address above on the cover page of this Order, or submitted by email to [gkai@waterboards.ca.gov](mailto:gkai@waterboards.ca.gov).

To be fully responded to by staff and considered by the Regional Water Board, written comments must be received at the Regional Water Board offices by 5:00 p.m. on May 10, ~~2013~~2014.

**C. Public Hearing**

The Regional Water Board will hold a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date: July 10, 2014  
Time: 9 AM  
Location: Metropolitan Water Districts of Southern California  
700 North Alameda Street  
Los Angeles, California

Interested persons are invited to attend. At the public hearing, the Regional Water Board will hear testimony, if any, pertinent to the discharge and tentative WDRs. Oral testimony will also be heard; however, for accuracy of the record, important testimony should be in writing.

**D. Waste Discharge Requirements Petitions**

Any aggrieved person may petition the State Water Resources Control Board to review the decision of the Regional Water Board regarding the final WDRs. The petition must be received within 30 days of the Regional Water Board's action. Petitions should be sent to the following address:

State Water Resources Control Board  
Office of Chief Counsel  
P.O. Box 100, 1001 I Street  
Sacramento, CA 95812-0100

**E. Information and Copying**

The tentative permit, comments received, and other information are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Regional Water Board by calling (213) 576-6651.

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**F. Register of Interested Persons**

Any person interested in being placed on the mailing list for information regarding this General Permit was invited to contact the Regional Water Board, reference this General Permit, and provide a name, address, and phone number.

**G. Additional Information**

Requests for additional information or questions regarding this General Permit should be directed to Namiraj Jain at (213) 620-6003.

**REVISED  
TENTATIVE**

DISCHARGE OF NONPROCESS WASTEWATER  
TO SURFACE WATERS

ORDER NO. R4-2014-00XX  
NPDES NO. CAG994003

**ATTACHMENT E – MONITORING AND REPORTING PROGRAM**

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EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIQUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

**Los Angeles Regional Water Quality Control Board**

**STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION**

**MONITORING AND REPORTING PROGRAM NO. CI-XXXX**

**FOR  
DISCHARGES OF GROUNDWATER FROM SAN GABRIEL VALLEY GROUNDWATER BASIN  
TO SURFACE WATERS**

**IN  
UPPER SAN GABRIEL RIVER AND RIO HONDO WATERSHED-LOS ANGELES COUNTY  
(GENERAL NPDES PERMIT NO. CAG994006, SERIES NO.XXXX)**

This Order was adopted by the Regional Water Board on:	<b>July 10, 2014</b>
Enrollment to this Order shall become effective on:	<b>XXX, XX, XXXX</b>
This Order shall expire on:	<b>August 30, 2019</b>
The U.S. Environmental Protection Agency and the Regional Water Quality Control Board have classified discharges covered under this General Permit as a minor discharge.	

Ordered by: \_\_\_\_\_  
Samuel Unger, P.E.  
Executive Officer

Date: dddd, 2014

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## Monitoring and Reporting Program (MRP)

40 CFR section 122.48 requires that all NPDES permits specify monitoring and reporting requirements. Sections 13267 and 13383 of the CWC also authorize the Regional Water Board to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements which implement the federal and California regulations.

### I. GENERAL MONITORING PROVISIONS

- A. An effluent sampling station shall be established for Discharge Point(s) M-xxx and shall be located where representative samples of that effluent can be obtained.
- B. This Regional Water Board shall be notified in writing of any change in the sampling stations once established or in the methods for determining the quantities of pollutants in the individual waste streams.
- C. Pollutants shall be analyzed using the analytical methods described in 40 CFR section Sections 136.3, 136.4, and 136.5 (revised March 12, 2007); or, where no methods are specified for a given pollutant, by methods approved by this Regional Water Board or the State Water Board.
- D. For any analyses performed for which no procedure is specified in the USEPA guidelines or in the MRP, the constituent or parameter analyzed and the method or procedure used must be specified in the monitoring report.
- E. Laboratories analyzing effluent samples and receiving water samples shall be certified by the California Department of Public Health Environmental Laboratory Approval Program (ELAP) or approved by the Executive Officer and must include QA/QC data in their reports. A copy of the laboratory certification shall be provided each time a new certification and/or renewal of the certification is obtained from ELAP.
- F. Each monitoring report must affirm in writing that "all analyses were conducted at a laboratory certified for such analyses by the Department of Health Services or approved by the Executive Officer and in accordance with current USEPA guideline procedures or as specified in this Monitoring and Reporting Program".
- G. The monitoring reports shall specify the analytical method, the Method Detection Limit (MDL), and the State Water Board Minimum Level (ML) for each pollutant. For the purpose of reporting compliance with numerical limitations, performance goals, and receiving water limitations, analytical data shall be reported by one of the following methods, as appropriate:
  - 1. An actual numerical value for sample results greater than or equal to the ML; or
  - 2. "Detected, but Not Quantified (DNQ)" if results are greater than or equal to the laboratory's MDL but less than the ML; or
  - 3. "Not Detected (ND)" for sample results less than the laboratory's MDL with the MDL indicated for the analytical method used.

Analytical data reported as "less than" for the purpose of reporting compliance with permit limitations shall be the same or lower than the permit limit(s) established for the given parameter.

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Current MLs, which are listed in Appendix A, are those published by the State Water Resources Control Board in the *Policy for the Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*, March 2, 2000.

- H. Where possible, the MLs employed for effluent analyses shall be lower than the permit limitations established for a given parameter. If the ML value is not below the effluent limitation, then the lowest ML value and its associated analytical method shall be selected for compliance purposes. At least once a year, the Discharger shall submit a list of the analytical methods employed for each test and associated laboratory QA/QC procedures.

The Regional Water Board, in consultation with the State Water Board Quality Assurance Program, shall establish a ML that is not contained in Appendix A to be included in the Discharger's permit in any of the following situations:

1. When the pollutant under consideration is not included in Appendix A;
  2. When the Discharger and Regional Water Board agree to include in the permit a test method that is more sensitive than that specified in 40 CFR Part 136 (revised May 14, 1999);
  3. When the Discharger agrees to use an ML that is lower than that listed in Appendix A;
  4. When the Discharger demonstrates that the calibration standard matrix is sufficiently different from that used to establish the ML in Appendix A, and proposes an appropriate ML for their matrix; or,
  5. When the Discharger uses a method whose quantification practices are not consistent with the definition of an ML. Examples of such methods are the USEPA-approved method 1613 for dioxins and furans, method 1624 for volatile organic substances, and method 1625 for semi-volatile organic substances. In such cases, the Discharger, the Regional Water Board, and the State Water Board shall agree on a lowest quantifiable limit and that limit will substitute for the ML for reporting and compliance determination purposes.
- I. Water/wastewater samples must be analyzed within allowable holding time limits as specified in 40 CFR section 136.3. All QA/QC items must be run on the same dates the samples were actually analyzed, and the results shall be reported in the Regional Water Board format, when it becomes available, and submitted with the laboratory reports. Proper chain of custody procedures must be followed, and a copy of the chain of custody shall be submitted with the report.
- J. All analyses shall be accompanied by the chain of custody, including but not limited to data and time of sampling, sample identification, and name of person who performed sampling, date of analysis, name of person who performed analysis, QA/QC data, method detection limits, analytical methods, copy of laboratory certification, and a perjury statement executed by the person responsible for the laboratory.
- K. The Discharger shall calibrate and perform maintenance procedures on all monitoring instruments and to insure accuracy of measurements, or shall insure that both equipment activities will be conducted.
- L. The Discharger shall have, and implement, an acceptable written quality assurance (QA) plan for laboratory analyses. The annual monitoring report required in Section X.b.3. of this MRP shall also summarize the QA activities for the previous year. Duplicate chemical analyses must be conducted on a minimum of ten percent (10%) of the samples, or at least one sample per

sampling period, whichever is greater. A similar frequency shall be maintained for analyzing spiked samples.

- M. When requested by the Regional Water Board or USEPA, the Discharger will participate in the NPDES discharge monitoring report QA performance study. The Discharger must have a success rate equal to or greater than 80%.
- N. For parameters that both monthly average and daily maximum limitations are specified and the monitoring frequency is less than four times a month, the following shall apply. If an analytical result is greater than the monthly average limitation, the Discharger shall collect four additional samples at approximately equal intervals during the month, until compliance with the monthly average limitation has been demonstrated. All five analytical results shall be reported in the monitoring report for that month, or 45 days after results for the additional samples were received, whichever is later. In the event of noncompliance with a monthly average effluent limitation, the sampling frequency for that constituent shall be increased to weekly and shall continue at this level until compliance with the monthly average effluent limitation has been demonstrated. The Discharger shall provide for the approval of the Executive Officer a program to ensure future compliance with the monthly average limitation.
- O. In the event wastes are transported to a different disposal site during the report period, the following shall be reported in the monitoring report:
  - 1. Types of wastes and quantity of each type;
  - 2. Name and address for each hauler of wastes (or method of transport if other than by hauling); and
  - 3. Location of the final point(s) of disposal for each type of waste.

If no wastes are transported off-site during the reporting period, a statement to that effect shall be submitted.

- P. Each monitoring report shall state whether or not there was any change in the discharge as described in the Order during the reporting period.
- Q. All monitoring reports shall include the discharge limitations in the Order, tabulated analytical data, the chain of custody form, and the laboratory report (including but not limited to date and time of sampling, date of analyses, method of analysis and detection limits).
- R. Each monitoring report shall contain a separate section titled "Summary of Non-compliance" which discusses the compliance record and corrective action taken or planned that may be needed to bring the discharge into full compliance with waste discharge requirements. This section shall clearly list all non-compliance with waste discharge requirements, as well as all excursions of effluent limitations.
- S. Before commencing a new discharge, a representative sample of the effluent shall be collected and analyzed for toxicity and for all the constituents listed in Fact Sheet, and the test results must meet all applicable limitations of Order No. R4-2014-XXXX.
- T. In the In the event of presence of oil sheen, debris, and/or other objectionable materials or odors, discharge shall not commence until compliance with the requirements is demonstrated. All visual observations shall be included in the monitoring report.

- U. If monitoring results indicate an exceedance of a limit contained in Order R4-2014-XXXX, the discharge shall be terminated and shall only be resumed after remedial measures have been implemented and full compliance with the requirements has been ascertained.
- V. In addition, as applicable, following an effluent limit exceedance, the Discharger shall implement the following accelerated monitoring program:
  - a. Monthly monitoring shall be increased to weekly monitoring,
  - b. Quarterly monitoring shall be increased to monthly monitoring , and
  - c. Semi-annually monitoring shall be increased to quarterly.
  - d. Annual monitoring shall be increased to semi-annually.

If three consecutive accelerated monitoring events demonstrate full compliance with effluent limits, the Discharger may return to the regular monitoring frequency, with the approval of the Executive Officer of the Regional Water Board.

**II. MONITORING LOCATIONS**

The Discharger shall establish the following monitoring locations to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order:

**Table 1. Monitoring Points Information**

<b>Discharge Point Name</b>	<b>Monitoring Location Name</b>	<b>Monitoring Location Description</b>
Discharge Point 1	M-001	Compliance monitoring locations for wells and treatment plants discharges
Discharge Point 2	M-002	If more than one discharge point is authorized under the General Permit, compliance monitoring locations shall be named M-002, M-003, etc. and shall be located so as to allow collection of treated effluent after treatment and before contact with receiving water and/or dilution by any other water or waste.

**III. INFLUENT MONITORING REQUIREMENTS (NOT APPLICABLE)**

## EFFLUENT MONITORING REQUIREMENTS

- a. The Discharger shall monitor the effluent at Discharge Points M-001 as specified in the following table. Representative effluent samples shall be collected after all treatment process (if any) while discharging and before contact or mixing with receiving water or other waters and/or dilution with any other water or waste.

**Table 2. Monitoring Requirements**

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Flow	gal/day	Totalizer	continuously	1
pH	pH units	Grab	monthly	1
Temperature	°F	Grab	monthly	1
Turbidity	NTU	Grab	monthly	1
BOD <sub>5</sub> 20°C	mg/L	Grab	monthly	1
Oil and Grease	mg/L	Grab	monthly	1
Settleable Solids	ml/L	Grab	Monthly	1
Sulfides	mg/L	Grab	Monthly	1
Residual Chlorine	mg/L	Grab	Monthly	1
Arsenic	µg/L	Grab	once at beginning of the discharge	1
Copper	µg/L	Grab	once at beginning of the discharge	1
Lead	µg/L	Grab	once at beginning of the discharge	1
Total Chromium	µg/L	Grab	once at beginning of the discharge	1
Hexavalent Chromium	µg/L	Grab	once at beginning of the discharge	1
Selenium	µg/L	Grab	once at beginning of the discharge	1
Iron	µg/L	Grab	once at beginning of the discharge	1
Manganese	µg/L	Grab	once at beginning of the discharge	1
1,1-Dichloroethane	µg/L	Grab	once at beginning of the discharge	
1,1-Dichloroethylene	µg/L	Grab	once at beginning of the discharge	1
1,1,1,-Trichloroethane	µg/L	grab	once at beginning of the discharge	1
1,1,2-Trichloroethane	µg/L	Grab	once at beginning of the discharge	1

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
1,1,2,2-Tetrachloroethane	µg/L	Grab	once at beginning of the discharge	1
1,2-Dichloroethane	µg/L	Grab	once at beginning of the discharge	1
1,2-Trans-Dichloroethylene	µg/L	Grab	once at beginning of the discharge	1
Tetachloroethylene	µg/L	Grab	once at beginning of the discharge	1
Trichloroethylene	µg/L	Grab	once at beginning of the discharge	1
Carbon Tetrachloride	µg/L	Grab	once at beginning of the discharge	1
Vinyl Chloride	µg/L	Grab	once at beginning of the discharge	1
Total Trihalomethanes	µg/L	Grab	once at beginning of the discharge	1
Benzene	µg/L	Grab	once at beginning of the discharge	1
MTBE	µg/L	Grab	once at beginning of the discharge	1
Perchlorate	µg/L	Grab	once at beginning of the discharge	1
1,4-Dioxane	µg/L	Grab	once at beginning of the discharge	1
Cis-1,2-Dichloroethylen	µg/L	Grab	once at beginning of the discharge	1
1,2,3-TCP	µg/L	Grab	once at beginning of the discharge	1

Notes: 1: Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136; for priority pollutants the methods must meet the lowest minimum levels (MLs) specified in Attachment 4 of the SIP (and included as Appendix A of this Order), where no methods are specified for a given pollutant, by methods approved by this Regional Water Board or the State Water Board.

#### H. Filed Observation, Monitoring and Reporting Requirements

Discharger may deploy a certified Biologist or a qualified person at groundwater recharge site to asses any possible impacts to receiving waters due to discharge activities. Observation may include but not limited to the following.

1. Groundwater recharge infiltration rate at the rubber dam sites.
2. Possible water pooling at the recharge site.
3. Possible groundwater discharge bypassing discharges to lower reaches of the San Gabriel River.

Field observation report shall be submitted quarterly to the Regional Board along with the quarterly monitoring report.

**I. Reporting**

- ~~1. The Discharger shall submit a full report of the toxicity test results as required by this General Permit. Test results shall be reported as % survival for acute toxicity test results with the self monitoring reports (SMR) for the month in which the test is conducted.
  - ~~a. The full report shall be submitted on or before the end of the month in which the SMR is submitted.~~
  - ~~b. The full report shall consist of (1) the results; (2) the dates of sample collection and initiation of each toxicity test; (3) the acute toxicity average limit.~~~~
- ~~2. The Discharger shall notify, by telephone or electronically, this Regional Water Board of any toxicity exceedance within 24 hours of receipt of the results followed by a written report within 14 calendar days of receipt of the results. The verbal or electronic notification shall include the exceedance and the plan the Discharger has taken or will take to investigate and correct the cause(s) of toxicity. It may also include a status report on any actions required by the permit, with a schedule for actions not yet completed. If no actions have been taken, the reasons shall be given.~~

**IV. LAND DISCHARGE MONITORING REQUIREMENTS (NOT APPLICABLE)**

**V. RECLAMATION MONITORING REQUIREMENTS (NOT APPLICABLE)**

**VI. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER**

**VII. OTHER MONITORING REQUIREMENTS (NOT APPLICABLE)**

**VIII. REPORTING REQUIREMENTS**

**A. General Monitoring and Reporting Requirements**

1. The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.
2. If there is no discharge during any reporting period, the report shall still be submitted and state that there was no discharge.
3. Each monitoring report shall contain a separate section titled “Summary of Non-Compliance” which discusses the compliance record and corrective actions taken or planned that may be needed to bring the discharge into full compliance with waste discharge requirements. This section shall clearly list all non-compliance with waste discharge requirements, as well as all excursions of effluent limitations.
4. The Discharger shall inform the Regional Water Board well in advance of any proposed construction activity that could potentially affect compliance with applicable requirements

**B. Self Monitoring Reports**

1. At any time during the term of this General Permit, the State or Regional Water Board may notify the Discharger to electronically submit Self-Monitoring Reports (SMRs) using the State Water Board's California Integrated Water Quality System (CIWQS) Program Web site (<http://www.waterboards.ca.gov/ciwqs/index.html>). Until such notification is given, the Discharger shall email electronic copy of SMRs to [losangeles@waterboards.ca.gov](mailto:losangeles@waterboards.ca.gov). The CIWQS Web site will provide additional directions for SMR submittal in the event there will be service interruption for electronic submittal.
2. Paperless Submittal of SMRs: SMRs must be submitted to the Regional Water Board, signed and certified as required by the Standard Provisions (Attachment D). The Regional Water Board is implementing a paperless office system to reduce paper use, increase efficiency and provide a more effective way for our staff, the public and interested parties to view water quality documents. Therefore, please convert all regulatory documents, submissions, data and correspondence that you would normally submit to us as hard copies to a searchable Portable Document Format (PDF). Documents that are less than 10 MB should be emailed to [losangeles@waterboards.ca.gov](mailto:losangeles@waterboards.ca.gov). Documents that are 10 MB or larger should be transferred to a disk and mailed to the address listed below.

**CRWQCB – Los Angeles Region**  
**320 West 4<sup>th</sup> Street, Suite 200**  
**Los Angeles, CA 90013**  
**Attn: Information & Technology Unit**

If you need additional information regarding electronic submittal of documents please visit and navigate the Paperless Office pages in the Regional Water Board's website at <http://www.waterboards.ca.gov/losangeles/resources/Paperless/>.

3. The Discharger shall report in the SMR the results for all monitoring specified in this MRP. The Discharger shall submit SMRs including the results of all required monitoring using USEPA-approved test methods or other test methods specified in this Order. If the Discharger monitors any pollutant more frequently than required by this Order, the results of this monitoring shall be included in the calculations and reporting of the data submitted in the SMR.
4. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

**Table 3. Monitoring Periods and Reporting Schedule**

Sampling Frequency	Monitoring Period Begins On	Monitoring Period	SMR Due Date
Continuously	XXX xx, 20xx	Continuously	Submit with quarterly SMR
Hourly	XXX xx, 20xx	Hourly	Submit with quarterly SMR
Daily	XXX xx, 20xx	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	Submit with quarterly SMR

Sampling Frequency	Monitoring Period Begins On	Monitoring Period	SMR Due Date
Weekly	Sunday following permit effective date or on permit effective date if on a Sunday	Sunday through Saturday	Submit with quarterly SMR
Monthly	First day of calendar month following permit effective date or on permit effective date if that date is first day of the month	1 <sup>st</sup> day of calendar month through last day of calendar month	Submit with quarterly SMR
Quarterly	Closest of January 1, April 1, July 1, or October 1 following XXX xx, 20xx	January 1 through March 31 April 1 through June 30 July 1 through September 30 October 1 through December 31	45 days from the end of the monitoring period
Semiannually	Closest of January 1 or July 1 following XXX xx, 20xx	January 1 through June 30 July 1 through December 31	45 days from the end of the monitoring period
Annually	January 1 following (or on) XXX xx, 20xx	January 1 through December 31	45 days from the end of the monitoring period

5. Reporting Protocols. The Discharger shall report with each sample result the applicable Reporting Level (RL) and the current Method Detection Limit (MDL), as determined by the procedure in Part 136.

The Discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

- a. Sample results greater than or equal to the RL shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).
- b. Sample results less than the RL, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or DNQ. The estimated chemical concentration of the sample shall also be reported.

For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ as well as the words "Estimated Concentration" (may be shortened to "Est. Conc."). The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy ( $\pm$  a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

- c. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.
- d. Dischargers are to instruct laboratories to establish calibration standards so that the ML value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from *extrapolation* beyond the lowest point of the calibration curve.

6. The Discharger shall submit SMRs in accordance with the following requirements:

- a. Data Summary Tables: The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations. The Discharger is not required to duplicate the submittal of data that is entered in a tabular format within CIWQS.

When electronic submittal of data is required and CIWQS does not provide for entry into a tabular format within the system, the Discharger shall electronically submit the data in a tabular format as an attachment.

- b. Cover letter and Summary of Non-Compliance: The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the WDRs; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.

**C. Discharge Monitoring Reports (DMRs) (Not Applicable)**

**D. Other Reports (Not Applicable)**

**E. Notification**

The Discharger shall notify the Regional Water Board via telephone and/or fax within 24 hours of noticing an exceedance above the effluent limits in Order No. R4-2014-XXXX. The Discharger shall provide to the Regional Water Board within 14 days of observing the exceedance a detailed statement of the actions undertaken or proposed that will bring the discharge into full compliance with the requirements and submit a timetable for correction.

**IX. MONITORING FREQUENCIES ADJUSTMENT**

Monitoring frequencies may be adjusted by the Executive Officer to a less frequent basis if the Discharger makes a request and the request is backed by statistical trends of monitoring data submitted.